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PUBLIC ADMINISTRATION is published quarterly in March, June, September and December by the Royal Institute of Public Administration. The subscription rate is 30s. per annum (\$5 in the United States). Single copies of current issues may be obtained, price 8s. 6d. each (\$1.25 in the United States). Most of the earlier issues are also available at prices according to the year of issue. The Journal is supplied free to Institute members.

Subscriptions and enquiries should be sent to the Royal Institute of Public Administration, Haldane House, 76A New Cavendish Street, London, W.1 (LANgham 8881).

Articles and Correspondence should be sent to the Hon. Editor, D. N. Chester, C.B.E., M.A., Nuffield College, Oxford.

Books for review should be sent to the Publications Officer at the Royal Institute of Public Administration.

The advertising agents are Eversley Publications, 33 Craven Street, London, W.C.2 (WHItehall 4161), to whom all enquiries concerning advertising space should be sent.

PUBLIC ADMINISTRATION

VOLUME XXXVIII . SPRING 1960

JOURNAL OF THE ROYAL INSTITUTE OF PUBLIC ADMINISTRATION

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ROYAL INSTITUTE OF PUBLIC ADMINISTRATION, HALDANE HOUSE, 76A NEW CAVENDISH STREET, LONDON, W.1

The Independence of Chief Constables

I. By BRYAN KEITH-LUCAS

Recent controversy and the appointment of a Royal Commission on the Police indicate a general concern about the status and control of the police. In this article the Senior Lecturer in Local Government in the University of Oxford explains the legal position of the Chief Constable and the powers of Watch Committees, the Home Secretary and the Magistrates.

THE conflict which recently developed between the Watch Committee of Nottingham and the Chief Constable of that city raises a number of legal and administrative questions of some importance, which may be considered in general, without particular reference to the events and

personalities of Nottingham.1

The principal questions are, first, what is the position of a Chief Constable, and what degree of control can a Watch Committee exercise over him? And, second, what is the degree of control exercisable by the Home Secretary over the Chief Constable, and over the Watch Committee? These are not entirely legal questions, for, whatever the Statute Book may say, the actual practice may be different in some respects.

THE LEGAL POSITION OF THE CHIEF CONSTABLE

The common law position of the Chief Constable is that he, like all policemen, is essentially a constable; an officer whose "authority is original, not delegated, and is exercised at his own discretion by virtue of his office." To his office of constable have been added further responsibilities of an administrative nature by a number of statutes. These have created the modern police force, with its ranks and discipline, but have not altered the constable's underlying independence as a constitutional officer of the Crown, acting in his own discretion to perform his duty of keeping the peace. Thus, so far as his constitutional police duties are concerned, he is not subject to control by the Watch Committee, or anyone else.

This statement is based on a long-established view of the status of a policeman as a constable, and on a number of judgments of the Courts. Among these are the cases in which it has been held that neither a Watch Committee nor a Borough Council can be sued for the acts or omissions of constables whom it has appointed. For example, in Stanbury v. Exeter Corporation,³

¹The Police Authority in England and Wales is, in a County, the Standing Joint Committee, composed half of members of the County Council, half of Magistrates. In a County Borough the Police Authority is the Watch Committee, composed entirely of members of the Borough Council. There are also a few combined Police Authorities, responsible for more than one County or County Borough. Watch Committees have power of appointment and discipline over their constables, which in counties are exercised by the Chief Constable. Otherwise the differences between them are slight.

^aViscount Simonds in A.G. v. New South Wales Perpetual Trustees Co. [1955] A.C. 457. See also Holdsworth's History of English Law, IV, pp. 122-126. Also article in the English Historical Review, October 1895, p. 625. (This article, often referred to in leading cases, is generally quoted as published in October 1905.)

^{8 [1905] 2} K.B. 838.

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Wills J. expressed the view that "In all boroughs the Watch Committee by statute has to appoint, control and remove the police officers, and nobody has ever heard of a corporation being made liable for the negligence of a police officer in the performance of his duty," and in Fisher v. the Mayor, etc., of Oldham,1 McCardie J. said that "if local authorities are to be liable in such a case as this for the acts of the police with respect to felons and misdemeanants, then it would entitle them to demand that they ought to secure a full measure of control over the arrest and prosecution of all offenders. To give any such control would, in my view, involve a grave and most dangerous constitutional change." In the same case he also said "Suppose that a police officer arrested a man for a serious felony? Suppose, too, that the Watch Committee of the borough at once passed a resolution directing that the felon should be released? Of what value would such a resolution be? Not only would it be the plain duty of the police officer to disregard the resolution, but it would be the duty of the chief constable to consider whether an information should not at once be laid against the members of the Watch Committee for a conspiracy to obstruct the course of criminal justice." This passage was approved by the Judicial Committee of the Privy Council in A.G. for New South Wales v. Perpetual Trustees Company.2

This view is supported by a number of text books, of which one may quote Hart's Introduction to the Law of Local Government and Administration: The Watch Committee has no control over the action of the police in regard to criminal law and crime, and may not call upon the chief constable to report to it upon any particular case of crime. So also the Oaksey Committee reported that The police authority have no right to give the Chief Constable orders about the disposition of the force or the way in which police duties should be carried out and he cannot divest himself of responsibility by turning to them for guidance or instructions on matters of police duty.

On the other hand, however, several authorities have taken a different view; among these is Sir John Simon, who, in 1936, as Home Secretary was resisting the attempt of Opposition Members to discuss the conduct of the provincial police in the debate on the Home Office Vote.⁵ Allegations were made that the police had shown partiality in favour of the Fascists in riots at Oxford and elsewhere. He said: "When you say that the House of Commons cannot discuss the Oxford police in this Debate, that does not mean that the Oxford police can do as they like. It means that the Oxford police are subject to the ratepayers of Oxford and to the people who elect the city Council, out of which the watch committee is formed." This view was also accepted by the Deputy Chairman, and does not seem to have been challenged by anybody. It may be, however, that this statement should be discounted to some extent on account of the circumstances in which it was made; Sir John Simon was presumably anxious to avoid political

^{1 143} L.T.R. 281.

^{2[1955]} A.C. 457.

^aSixth Edition, p. 626.

⁴Report of the Committee on Police Conditions of Service, 1949. Cmnd. 7831, para. 185. ⁵314 H.C. Deb. 5s., c. 1625.

⁶ Ibid., c. 1555.

THE INDEPENDENCE OF CHIEF CONSTABLES

responsibility for the conduct of the police, and so was perhaps ready to put the burden of blame on other shoulders. Moreover, the statement does not accurately reflect the relations at that time between the Chief Constable and the Watch Committee of Oxford. Mr Fox, the Chief Constable, did not accept a subordinate rôle.

The Report of the Royal Commission on Police Powers and Procedure¹ in 1929 stated that "The Chief Constable is responsible to his Police Authority, which (except in the case of the Metropolitan Police for which the Home Secretary is himself responsible) is a unit of local government. . . . The powers vested in the Watch Committees are mainly concerned with matters of policy and finance and interfere little, if at all, with the executive or technical control of the force." This somewhat negative statement contrasts with the more recent and more emphatic statement by the Government spokesman, Lord Chesham, in the House of Lords debate initiated by Lord Winterton in 1958.2 He said: "What I wish to emphasize (it has been said before, and I say it again) is that no police authority or anyone else has any authority to interfere in relation to the enforcement of the law by the police. Naturally, there is normally good co-operation between the police authority and their Chief Constable, but the full responsibility for enforcement is a matter which is reserved entirely to the chief officer of police. In the exercise of this responsibility he is answerable to the law alone, and not to any public authority. That is the position both in the counties and in the boroughs. I think it is generally recognized to be such today, whatever may have happened in the past." This is clearly in conflict with Sir John Simon's statement, and it may be that, as suggested in the last sentence, there has been some change in opinion; or it may be that Sir John Simon's statement must not be taken too literally; or, alternatively, that Lord Chesham was overstating the case for the constitutional freedom of the Chief Constable. This doctrine of the Chief Constable's independence, however, seems to be generally accepted today, even though some authorities, such as Nottingham, disagree. The legal dicta, quoted above, certainly support it.

THE POWERS OF THE WATCH COMMITTEE

A further question then arises; what duties and powers do legally belong to the Watch Committee? If they have not power to give orders to the Chief Constable, what is their function? The answer is to be found in a number of statutes, mostly of the 19th Century, under which the modern police forces are constituted. They do not define the duties of a constable, nor do they directly authorize the appointment of a Chief Constable in a Borough, though such officers are appointed in fact by all Police Authorities. These statutes provide for the appointment of Watch Committees, whose duties are to appoint a sufficient number of constables, to pay them and clothe them, to provide police stations, and to frame regulations for preventing neglect and abuse, and for making the constables efficient. The Watch Committee (unlike the Standing Joint Committee in Counties) is responsible

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for appointment, promotion and discipline. In disciplinary matters the decision of the Chief Constable (except where the charge is dealt with by caution) is subject to confirmation by the Watch Committee, and any case may at the discretion of the Chief Constable be remitted by him to the Watch Committee for hearing and adjudication. The Committee may also suspend or dismiss any constable whom it thinks negligent in the discharge of his duty, or otherwise unfit for his duty. The constable also has the right of appeal to the Watch Committee, and in some cases to the Home Secretary, against a decision of the Chief Constable.

Some doubt has been raised by the wording of section 7 of the County and Borough Police Act, 1856, which provides that constables shall, in addition to their ordinary duties, "perform all such duties connected with the police" as the Justices or Watch Committee may direct and require. This might be held to justify the giving by the Watch Committee of instructions to constables about how they are to perform their duties; but it has been generally held to refer to extraneous duties, like inspection of weights and measures, and duties under the Explosives Acts, and so to be irrelevant.

The conclusion is that the statutory powers amount to disciplinary authority, but not to a power to give general directions on how police functions are to be performed, nor to authority to interfere in particular prosecutions. In other words the Committee must provide an efficient force, and has authority to deal only with such matters as corrupt practices, oppressive conduct, breach of confidence, lateness on duty, insubordination, disobedience to superior officers, lack of smartness, &c.²

If this view be accepted, two further questions arise; is this convention observed in practice? And, if this be so, what can a Watch Committee do if (rightly or wrongly) it considers that the Chief Constable it has appointed

is carrying out his duties with personal or political bias?

To the first of these questions the answer would seem to be that Watch Committees and Standing Joint Committees do generally observe these rules; they do not attempt to give orders to the Chief Constables about how they should carry out their police duties. Members of these Committees do, however, sometimes express opinions and ask questions on such matters, and when this happens the Chief Constable normally values their suggestions, but sometimes also reiterates the principle that the responsibility is his and only his. There is probably some distinction to be drawn in this matter between different types of crime. Most Chief Constables would probably pay attention to their Committees' views on such matters as parking cars, bound up as they are with questions of planning and highway construction; but they might resent any attempt to influence them in respect of their treatment of other types of offences. Moreover, the Town Clerks as Clerk of the Watch Committees would normally divert the Committee from

¹E.g. Oaksey Report (Report of the Committee on Police Conditions of Service), 1949, Cmnd. 7674. Part I, p. 33.

^aIn relation to Chief Constables, the powers and procedure are defined by Statutory Instrument 1706 of 1952 (Deputy Chief Constables, Assistant Chief Constables and Chief Constables Regulations).

THE INDEPENDENCE OF CHIEF CONSTABLES

attempting to give an order to the Chief Constable which would infringe that officer's responsibility for enforcing the laws and would warn them of the limits of their powers. In a serious case a Watch Committee, through the Town Clerk, would commonly consult the Home Office or the Inspector of Constabulary who deals with their particular force.

Furthermore, much must depend on the personalities involved. Chief Constables take a very firm line with their Committees; in other cases there is a dominating chairman who plays the leading part. In most Boroughs there is goodwill and friendliness between the parties; in a few they treat with each other at arm's length. For these reasons it is not possible to describe a universal pattern; in general, however, it appears that Watch Committees carefully refrain from interfering with the Chief Constable's police function. Occasionally, however, a conflict develops between the Chief Constable and the Committee, as in St. Helens in 1927, when an inquiry was held by Mr T. Hollis Walker, K.C., and Mr C. de Courcy Parry,1 which found that there had been undue interference by members of the Watch Committee.

There are, however, less direct methods by which a Watch Committee can to some extent control its Chief Constable. Even if he be alone responsible for the enforcement of the law, the Committee has financial control, and can allow or refuse the requests of the Chief Constable. So also the Watch Committee, but not the Standing Joint Committee, appoints and promotes the members of the force who serve under the Chief Constable. In most cases they accept the recommendations of the Chief Constable; but they are not bound to do so, and though some accept his advice without question, others exercise a real discretion. In regard to discipline, the responsibility lies in a Borough with the Watch Committee, but in a County with the Chief So in this field too the Watch Committee in a Borough may show itself more or less co-operative and may exercise an indirect influence over the Chief Constable. Furthermore, there is no law to stop a Watch Committee discussing how a Chief Constable does his work, and criticizing him if they think fit; but their criticisms have no standing in law, and he has no duty to obey their orders.

At the same time the authority of the Chief Constable is limited by the fact that his policemen are not his agents; each of them is himself a constable, with his own constitutional duty to keep the peace and enforce the law; a duty which cannot be abrogated by any order from the Chief Constable,

the Watch Committee or anyone else.

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The Chief Constable has, however, a wide discretion in two ways; in how he disposes his force and, in many cases, whether or not, when he receives reports, he initiates a prosecution. In these ways he can press more heavily or more lightly on particular forms of crime. There are, however, some offences (e.g. under the Official Secrets Acts, and serious sexual offences) in which he has no such discretion, being bound to consult the Director of Public Prosecutions on the matter.

To the second question the answer would seem to be that, by sec. 191 (4) of the Municipal Corporations Act, 1882,2 if the Committee is satisfied ¹Cmnd. 3103.

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that a constable is negligent or otherwise unfit for his duty, they may suspend or dismiss him. This is distinct from the ordinary disciplinary powers under the Police Act, 1919,¹ and, at least in the case of dismissal, there is a

statutory right of appeal to the Home Secretary.2

A Watch Committee might no doubt find a Chief Constable unfit for his duties on grounds of idleness or general incompetence. But they might presumably also find him to be unfit if they were satisfied that he had shown and continued to show such political or personal bias in discharging his police duties as proved him to be unsuitable for the post. Furthermore, if the Watch Committee had prima facie grounds for such a belief, they would presumably have to investigate the matter fully and fairly before exercising their powers. This might well entail an investigation into the circumstances in which the Chief Constable had instituted or refrained from instituting inquiries into particular matters; in other words, it might entail inquiry into how he had exercised his police functions.³

This is essentially the case put forward by the Nottingham Watch Committee; they claimed that they had *prima facie* evidence of such bias, and so were bound to investigate the relevant facts, and to inquire into the

conduct of the Chief Constable in the cases concerned.

This argument appears to be reasonable, but at the same time it is in conflict with the cases and opinions previously quoted, and generally accepted. The explanation is probably that this is a power available only in extreme cases, and one which cannot otherwise justify any interference with the Chief Constable's independence. Moreover, it may be doubted whether this provision in the Municipal Corporations Act was ever intended in this sense. It looks as if the purpose in mind was the dismissal of idle or negligent police constables. When it was first enacted there were no Chief Constables. Nonetheless, with these qualifications, this section does appear to authorize intervention by the Watch Committee in the operational work of the Chief Constable. But this is apparently only true where the Watch Committee has reason to believe that there is bias of such a degree as to prove the unfitness of the Chief Constable for his post.

The legal position of the Chief Constable vis-à-vis the Watch Committee would therefore seem to be this; that in all operational matters he is independent, and in no way under the orders of the Watch Committee; but that if he shows himself to be unfit for his duties, on grounds of incompetence, political or personal bias, or otherwise, the Committee may dismiss or suspend him. Furthermore, the members of the Committee are at liberty to advise him or to criticize his conduct, but he is not obliged to

obey their orders or comply with their wishes.

THE POWERS OF THE HOME SECRETARY

There remains the question of the powers of the Horne Secretary. He, like the Watch Committee, has certain clearly defined statutory duties, which

¹Wallworth v. Fielding [1922] 2 K.B. 66.

²Police Appeals Act, 1927.

⁸The normal course in such circumstances would probably be to consult the Inspector of Constabulary in the first instance. Published reports do not show whether this was done in the Nottingham case,

THE INDEPENDENCE OF CHIEF CONSTABLES

are aimed at assuring that police forces are efficient, and he acts as a Court of Appeal in certain disciplinary cases. The most important power is that of making regulations "as to the government, mutual aid, pay, allowances, clothing, expenses and conditions of service of the members of all police forces." He also has authority, under the Police (Grant) Order, 1951, to withhold the Government grant if he is not satisfied that "the police area in question is efficiently policed . . . that the police service is efficiently and properly maintained, equipped and administered. . . ." Furthermore, though the appointment of a Chief Constable is made by the Watch Committee or Standing Joint Committee, it is subject to the approval of the Home Secretary.

Apart from such specific powers there is no statutory authority for the Home Secretary to interfere in police matters, or to instruct Chief Constables how they should perform their functions. The generally accepted view is that he has no power or authority to do so, and that accordingly he cannot be made answerable in the House of Commons for their conduct. Thus, in the debates in 1936 on the behaviour of policemen at Fascist and other political meetings the Deputy Chairman (Captain Bourne) consistently refused to allow debate on the conduct of the police outside the Metropolis, saying: "The point in regard to the provincial police is that the Home Secretary cannot give orders. He has no responsibility there. He can no more give orders to the Manchester Watch Committee what they are to do than I can."2 (It is to be observed that there is a suggestion here that the Watch Committee rather than the Chief Constable was responsible.) And also "The only responsibility of the Home Secretary in respect of the provincial police is that he can inspect them and see that they are efficient. If his inspectors find that they are not efficient he can withhold part of the money to be granted, but he cannot withhold a grant because they stop meetings or because they do not stop meetings,"3 and "The only thing that covers efficiency is whether the men are properly drilled, properly trained and properly clothed."4 It would generally be thought today that this was an unduly narrow interpretation of the Home Secretary's function; the term "efficiency" would probably be interpreted to include the general morale of the force, and its leadership and the possession of modern equipment in adequate quantities.

It may be argued, however, that the Home Secretary's authority is not limited to his exact statutory functions. He is not a mere statutory minister, but is Her Majesty's Principal Secretary of State, exercising her prerogative powers on her behalf, and in particular responsible for preserving the Queen's Peace. If this view be accepted, it may be that he has a general responsibility and oversight over the Police in all their activities. But against this it may be argued that, as the power of the Crown in this sphere has been reduced to Statute Law, the Prerogative must be regarded as having abated. and

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¹Police Act, 1919. Police Regulations, 1948.

^{*314} H.C. Deb. 5s., c. 1555.

^{*}Ibid., c. 1554.

^{*}Ibid., c. 1567.

PUBLIC ADMINISTRATION

being no longer valid—a doctrine established in the case of A.G. v. de Keyser's Royal Hotel.¹ In fact, however, no such claim to general prerogative powers has been made by or on behalf of the Secretary of State.

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The question next arises whether the Home Office does in fact accept this narrow interpretation of the Home Secretary's powers and whether it does restrict itself to its exact statutory functions of assuring the efficiency of the force.

The rôle of Her Majesty's Inspectors of Constabulary is well known and needs no elaboration here. Their essential function is to see whether the force is an efficient one, and report to the Home Secretary; if their report were adverse he would withhold the police grant, but in practice he does not do this, though he may threaten it. It appears that the Inspectors do not interfere with the Chief Constables' discretion in police matters, though they may discuss these and advise.

Nor is it necessary to consider here the degree of petty control exercised by the Home Office over the details of police administration and such matters as the design of police stations. Galling though this may be to the Local Authorities, it does not affect the major question of the power of the Home Secretary to control the way in which Chief Constables carry out their police functions.

The Royal Commission on Police Powers and Procedure² in 1929 explained and commended the system which had then recently developed of periodic conferences of Chief Constables, attended also by members of the Department and H.M. Inspectors, in which matters of common interest, such as methods of traffic control and recruitment problems, were discussed. This system has been expanded to include national and also regional conferences, at which policy matters are discussed. It is also desirable that Chief Constables should keep more or less in step with each other in the emphasis they give to prosecuting various forms of offence, and that they should have an opportunity not only of learning what the Home Office's views may be, but also of discussing new methods of detection and prevention. All these things can be done at the conferences.

But probably more important than the conferences are the circulars issued by the Home Office to the Chief Constables. These are in some cases aimed at establishing a common policy in regard to the enforcement of particular laws. For example, after the passing of the Street Offences Act, 1959. Chief Constables might well have wanted to know what the general policy was on prosecutions for sexual offences. In such a case the Home Office would eschew anything that might possibly be interpreted as an order; but it might well be that it would issue a circular stating perhaps the policy which is being adopted in the Metropolitan Police area, and implying that Chief Constables may find this of interest. The Department would not, apparently, go beyond this in indicating the policy it recommended. But yet in a matter

¹[1920] A.C. 308.

²1929 Cmnd. 3297, para. 42.

THE INDEPENDENCE OF CHIEF CONSTABLES

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such as the treatment of deserters from the Army a more positive policy was laid down, though still there was not a direct order given to the Chief Constables. Most Chief Constables are naturally anxious to keep a reasonable degree of uniformity in these matters; they have no reason to want to be the odd man out, and they are glad to receive such advice from the Home Office.

It is also relevant that the Home Secretary has the duty to approve all appointments of Chief Constables, and is often consulted informally before appointments are made. In this way a certain influence can be exercised; for example, in the counties Chief Constables used as a rule to be chosen from Army officers, usually of county families. Since the 1930s there appears to have been a change of policy, which one may presume to have been prompted from above, though supported by the Police Federation below, in favour of men who have made their careers in the Police; so also, there has been more recently a clear Home Office tendency to discourage promotion of policemen to the command of the force in which they have worked their way up.1 In the pursuit of this policy the Home Secretary has used his power of withholding the grant if his wishes are not obeyed. For example, in the case of Salford in 1947, the Home Secretary was determined to prevent the Watch Committee appointing a man as Chief Constable who was already serving in the force. The Committee was reluctant to comply, until the Home Secretary (Mr Chuter Ede) withdrew the grant of £100,000 until such time as they appointed someone of whom he could approve.2 This power to withhold the grant he can use only if he is not satisfied that the force " is efficiently and properly maintained, equipped and administered"; his conduct in this case was obviously based on a wider interpretation of "efficiency" than that adopted by the Deputy Chairman in the House of Commons-" properly drilled, properly trained and properly clothed." The withdrawal of the grant was presumably not based on direct evidence that the force had, in the course of a few days, become inefficient in any of these specific respects, but on the expectation that, if this particular candidate were appointed, it would in due course show signs of inefficiency or cease to be properly administered.

So also in the Nottingham case the Home Secretary is reported to have brought pressure to bear by a threat to withdraw the grant, because he could not regard a police force without a Chief Constable as efficient and properly administered, although he had presumably no specific evidence of actual inefficiency in the narrower sense.

Thus it would appear that the Home Secretary accepts the general principles of the independence of the local Watch Committees and Chief Constables, but that at the same time he does feel it to be his duty to guide and to advise; moreover, it is clear that the narrow definition of his duty put forward in the House of Commons (to see that the police are "properly drilled, properly trained and properly clothed") is not accepted in practice.

¹Statement by the Home Secretary reported in the *Police Review*, 4th July 1958, p. 464. ²The Times, 13th May 1947.

PUBLIC ADMINISTRATION

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One further point remains for consideration; under the Municipal Corporations Act, 1882, sec. 191, a Borough constable is bound to "obey all such lawful commands as he received from any justice. . . ." This provision obviously begs the question of what is a lawful command, but at least it implies that the Justices have power to give some orders to the police.

The Justice of the Peace was in his origin as Conservator Pacis not so much a judicial officer as an executive officer with a duty to preserve the peace. He it was who would be expected to give orders to the local constables in case of riot or threatened riot. He was in fact in some respects a police officer, but in relation to individual parish constables, not to an organized police force. It was of these constables that Blackstone wrote: "They are armed with very large powers . . . of the extent of which powers, considering what manner of men are for the most part put into these offices, it is perhaps very well that they are generally kept in ignorance."1 There were in the 18th Century no Chief Constables, and no one other than the Justices to take control in times of crisis. Today this duty of the constables to obey the Magistrates is little more than an historic survival, which has lost much of its practical meaning; the Magistrates no longer give operational orders to the constables, though they do issue warrants and give them orders on minor matters in Court. It serves, however, as a reminder that the rôle of the Chief Constable was, in the 18th Century, played in part by the Magistrates, and that the constables were generally too humble in station to make any great claims to constitutional independence. They accepted the control of the Magistrates, who were in fact general autocrats of the counties. So, too, the town constables or watchmen accepted the authority of the corporation or other body which employed them.

When regular police forces were formed in the Boroughs this state of The affairs was not immediately altered. The statutes providing for the establish in 19 ment of Borough forces did not even specify that there should be a Chie thou Constable over each force. Though some Boroughs obtained the service Joint of members of the Metropolitan force, others relied on somewhat inexperienced and local leadership. So, in many cases, the Watch Committee continued to Force play the traditional part of the Magistrates, controlling the police in detail Corp. But bit by bit the police began to develop an esprit de corps; a feeling that case they were a professional body, comparable with the armed forces, with what their own traditions and status.

As the police force developed its own traditions and common feeling issued so the status of its leaders rose, and their willingness to accept a subordinate preter position declined. They came to assert their constitutional independence. was d

So while the powers of the Watch Committee dwindled, those of the man, Justices practically died away, apart from their membership of the Standin for da Joint Committee. But the authority of the Home Secretary has not decreased who h The doctrine of his impotence in relation to provincial police forces remain theref unaltered, but it appears that in practice his supervision is neither more nor less effective than it used to be. being

¹¹²th Edition, Vol. I. p. 356.

THE INDEPENDENCE OF CHIEF CONSTABLES

Nonetheless, the legal position of the Chief Constable seems clear; in all his police functions he acts at his own discretion, and not under the orders of anybody else. The Watch Committee has no legal power to intervene except in that, in an extreme case, it may dismiss or suspend him if it is of opinion that he is unfit for his duties.

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II—SOME QUESTIONS

By D. N. CHESTER

In his article, Mr Keith-Lucas has, quite rightly, confined himself to an exposition of what he believes to be the respective legal rights and status of a Chief Constable, Police Authority and Home Secretary. However, the legal position is not altogether clear, for the authorities quoted by Mr Keith-Lucas appear to contradict each other. On the one hand, according to one Home Secretary (Sir John Simon), who was also a very eminent lawyer, "the . . . police are subject to the ratepayers . . . and to the people who elect the Council." On the other hand a more recent Home Office spokesman (Lord Chesham) is quoted as saying "No police authority or anyone else has any authority to interfere in relation to the enforcement of the law by the police . . . full responsibility for enforcement is a matter which is iers reserved entirely to the chief officer of police . . . he is answerable to the rôle law alone. . . . " Mr Keith-Lucas leans very much towards the second the opinion and speaks of the Chief Constable's independence. tion

Now it is possible, indeed very likely considering the wording, that the authors of these and other statements were not all talking about exactly ority the same thing. Lord Chesham was referring to responsibility for enforcement. Is this exactly the same as responsibility for the policing of an area? e of The Royal Commission on Police Powers and Procedure stated quite clearly lish in 1929 "The Chief Constable is responsible to his Police Authority" even Chie though it went on later to say that both Watch Committees and Standing vice Joint Committees " are mainly concerned with matters of policy and finance nced and interfere little, if at all, with the executive or technical control of the ed to Force." This, however, was just before the decision in Fisher v. Oldham letail Corporation in 1930. Was the Royal Commission wrong or did the Oldham tha case change what had hitherto been accepted as the legal position? If not, with what did the Royal Commission mean by responsible?

The facts in the Oldham case were as follows. The Oldham police had eling issued a warrant for the arrest of a man wanted for obtaining £150 by false dinat pretences from a tradesman in the town. In error a man named Fisher ace. was detained for some hours before it was discovered that he was the wrong of the man, when he was released. He brought an action against Oldham Corporation andir for damages for false imprisonment, but the Court held that the police officers eased who had detained him had not acted as servants of the Borough. No liability main therefore attached to the Corporation and Fisher lost his case.

mor There seems no reason to quarrel either with the judgment, the facts being what they were, or with the judicial comments quoted by Mr Keith-Lucas. But how far do they take us? Do they really mean that a Police Authority has no responsibility for law enforcement? What light, if any, do they throw on the scope of the responsibilities of a Police Authority?

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Most people when they talk about law enforcement are thinking of particular cases. If a man has been found breaking into a house or drunk in charge of a car, or if this is alleged, he is liable to be charged before a court. There is a law, and if it looks as though it has been broken, the law must take its course. I doubt whether any Borough Councillor would contend that the Council, or the Watch Committee, had the right to interfere in any particular case. If therefore law enforcement means this, then there should be no difference of opinion. Again, I cannot see any Borough Councillor arguing that a Watch Committee has the right to pass resolutions instructing the Chief Constable not to enforce certain branches of the law, e.g. re licensing hours. For this would be equivalent to the Borough contracting out of the general laws governing the country as a whole.

Supposing, however, the elected members of the Police Authority are concerned as citizens and Councillors with seeing that the law is adequately and properly enforced. Have they no responsibility to ensure this? If they concern themselves with this matter, in general terms, not in respect of particular cases, are they acting *ultra-vires*?

A County Borough Council which is required to have a police force must see to it that the area is "efficiently policed . . . that the police service is efficiently and properly maintained, equipped and administered." Failure to do this may result in the Home Secretary withholding all or part of its 50 per cent. grant. There is no suggestion here that it is the Chief Constable who is responsible for efficiency. The Home Secretary cannot take action against him; nor even against the Watch Committee (which is technically the Police Authority). It is the ratepayers and the Council as a whole who must suffer if the area is not efficiently policed—in other words efficiency is their responsibility.

It may be argued that efficiency here is used in a limited sense, to mean such things as sufficiency of policemen and equipment, or whether the men look smart when paraded before the Inspector of Constabulary. But this is not how the Home Office interpret their power when threatening to withhold a grant because the Home Secretary does not like the man the Watch Committee propose to appoint as Chief Constable. They do not even give the authority a chance to show whether the man can run an efficient police force.

Clearly the phrase "efficiently policed" cannot be confined to numbers of men and materials; it must in some way imply that the policing of the area, i.e. law enforcement, is adequately and properly carried out. It would, I assume, be readily accepted by the Home Office that if there is corruption in a police force the Local Authority is responsible and cannot hide behind the Chief Constable. If the local Council did nothing about the matter, once it had discovered the corruption, it could not complain if the Home Secretary stopped its grant on the ground that the area was not policed efficiently.

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Let us consider three possible sets of circumstances. First: a town in which organized gangs of youths are fighting among themselves and terrorizing peaceful citizens; second: a town in which political demonstrations are taking place and feeling is running high; third: a town in which the citizens are greatly concerned about the number of people killed and injured in the area by motor vehicles.

Supposing in the first instance the Council and the citizens are not satisfied that the fighting gangs are being tackled with sufficient resolution, are they powerless to do anything about it? Would a Councillor be out of order if in Council he asked the Chairman of the Watch Committee what measures the police were taking and what success had they had so far? Or whether the existing force was adequate to deal with the problem? Would the Chairman of the Watch Committee be correct if he replied that this was not a matter for the Council, but a matter of law enforcement and therefore a matter solely for the Chief Constable? Supposing the Council passed a resolution urging the police to take more vigorous and more efficient action and they were subsequently not satisfied that the Chief Constable had obeyed the resolution, would this be a legitimate ground for dismissal, which the Home Secretary would uphold if there were an appeal?

The second instance might turn on the manner in which the police had dealt with the demonstrators. Supposing it could be shown that some police, at the instruction of the Chief Constable, had used truncheons and unnecessary force in maintaining order and this had aroused a storm of protest in the town, would the Chairman of the Watch Committee be legally helpless and have to tell his Council that it was none of his business, but a matter of law enforcement for which the Chief Constable alone was responsible? Would it be ultra-vires for the Watch Committee to order the Chief Constable to instruct his force to use different and gentler methods in future?

The third instance, like the first, is not a matter of individual prosecutions or of ordering the law to be ignored, but of asking for it to be enforced. Supposing the Watch Committee knew that the police were making no efforts to catch and charge motorists exceeding the speed limit, does the Oldham case prove that the Committee have no power to instruct the Chief Constable to make more effort in this direction? Would it be ultra-vires for a Police Authority to instruct a Chief Constable to see that the law is enforced? If so what did Lord Chesham mean when he said that a Chief Constable was "answerable to the law alone?" How does the law operate in this case? Again, supposing this same Watch Committee came to the conclusion that some form of courtesy patrols would be a great advantage and were prepared to find the extra men and money for the purpose. If the Chief Constable refused to operate such a service would it be ultra-vires for the Committee to order him to do so?

It does not seem to me to be any answer to say that a Watch Committee has the right to discipline or dismiss a Chief Constable. Dismissal is a serious remedy reserved for serious offences. In English local government Councillors do not naturally turn their thoughts to the dismissal of a chief official—whether he be Town Clerk, Architect or Chief Constable. Moreover,

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if Mr Keith-Lucas and some of the quoted authorities are right, dismissal for not obeying the instructions of a Watch Committee in the kinds of situation just envisaged would hardly be fair; can a man be dismissed for not obeying orders which by law he is not bound to obey?

There is one other kind of situation which should be mentioned though it poses considerable difficulties. A Chief Constable has considerable discretion in deciding whether to bring charges in cases brought to his attention. Sometimes he may feel the evidence is inadequate or that the offence is of a minor nature and not worth the time and trouble involved for the force or that the alleged offender did it unwittingly and is unlikely to do it again now that he has been warned. He also has discretion in deciding which kind of offences and crimes deserve active, continuous attention and which can be regarded rather passively with a half-open, if not blind, eye. This discretion is of great help in securing acceptance, without too much fuss and bother, of the great mass of laws even in a naturally law-abiding community. Without it there would be increasing irritation with the administration of the law. Nevertheless, it is a power which in the hands of the wrong man could be a power for evil. A Chief Constable might have a strong prejudice against a particular group or element in the community or he might even dislike particular persons. As a result he might be much more ready to bring charges against people in this category, however minor the offence or however ill-founded the charge. This would be law enforcement, but it would not be equal enforcement throughout the community. The groups might be strikers, black men, rich men, Communists, Fascists, or men of any other kind. Has a Police Authority no responsibility to see that the law is enforced irrespective of which particular group is concerned? If not, how is this secured? Is non-discrimination an element in an efficient police force and does the Home Office try to take it into account in assessing efficiency?

Police work nowadays has very many aspects. The arrest and charging of alleged offenders are probably the least heavy part of the work of a Chief Constable and his immediate subordinates. The control of traffic and the tactful handling of the ever-increasing number of "crimes" invented each year by Parliament have created many new problems. To say that an area is efficiently policed must, in law and in practice, mean something more than that the Police Authority provides sufficient men and materials. Can efficient policing be entirely divorced from the methods whereby the police carry out their functions and whether law and order are properly maintained? Even if it is readily agreed that a Watch Committee or a Standing Joint Committee cannot give a Chief Constable instructions as to how to proceed in any particular case, can this argument be stretched to mean that the authority has no responsibility for the enforcement of law and order and for the way the police behave in its area?

In practice, of course, there is a great deal of give and take between Police Authorities and their Chief Constables. Indeed, if there were not, their respective legal rights and responsibilities might have been the subject of much more public argument and probably be clearer as a result. Has there

THE INDEPENDENCE OF CHIEF CONSTABLES

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Trained Manpower for New States: The Scope for International Action

By KENNETH YOUNGER

This is the Sidney Ball Lecture delivered in the University of Oxford on the 27th November 1959. Mr Younger, for fourteen years a Member of Parliament, is now Director-General of the Royal Institute of International Affairs, Chatham House, London.

WHEN I was asked to talk about some aspect of international organization, my mind turned at once to the general topic of aid to under-developed territories. My only reason for hesitating was my conviction that the time has now come and is indeed overdue, when Governments, without waiting for further discussion, should make major decisions and should follow them with action.

They already have plenty of material, both in the general literature of the subject and in the shape of practical experience, to enable them to decide whether overseas aid is to become a major feature of their policy; and if it is, to decide whether it is to be regarded simply as an arm of national diplomacy or, alternatively, to be more widely conceived as a major new experiment in international co-operation.

It is an act of will rather than further talk which is now needed. Nevertheless it may be useful to try to pick out some relatively limited aspects

of a very wide problem for closer scrutiny.

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I have imposed three limitations on my talk tonight. Firstly, I am to talk about trained manpower. This is, of course, an essential ingredient in any development plan. It must be considered in connection with projects for the provision of capital. The surveys made by the World Bank and often by the Technical Assistance Administration of the United Nations before engaging in any major operation bear witness to the need for looking at development as a single whole. Yet it is possible for purposes of discussion to treat trained manpower separately. Since governmental activity predominates in most new states, it is of the public service, administrative, professional and technical, that I shall, in the main, be thinking this evening.

Secondly, I am limiting myself to new states, most of which are former colonial dependencies. In many ways these states have the same problems as all under-developed territories, but they are in an additional predicament in that, in most of them, a fairly numerous trained administration exists, but consists largely of expatriates, many if not most of whom are likely to leave at or soon after independence. By contrast with the situation in other under-developed territories, their national life and economy is geared to the existence of this corps of trained administrators, who cannot be immediately replaced.

In addition, therefore, to the problem of educating and training their own people they have the special problem of maintaining relatively modern and sophisticated services during a vital transitional period before their

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indigenous resources can be made adequate. Even within the category of "new states" this problem varies greatly in intensity. In some the transition has taken place smoothly over a period of years; others have been faced almost overnight with the total disappearance of their expatriate officials.

My third limitation has been to direct my argument to the scope for international action. The major burden of creating a supply of trained manpower in new states must inevitably fall upon the new states themselves. I am, however, limiting myself to a consideration of what can be done from outside to help them.

I believe that it is timely for Britain to consider now how she proposes to assist new states with their manpower problems, since so many of her dependencies, whose services have been manned by the British in the past, have entered or will be entering upon statehood within the brief span of the single decade 1955-65.

NEEDS OF NEW STATES FOR TRAINED MANPOWER

I will not take up time arguing that in new states the need for trained manpower exists. The need is nearly always large, whether one considers Indonesia and Malaya, the Sudan or Ghana. In particular, professional and technical skills are exceedingly scarce in all new states. The only possible exception to this generalization might be Israel, so many of whose people came to the new state from industrially advanced countries. In this respect as in others, Israel's case is, I think, unique.

In respect of administrative skills there are a few new states in which, by the date of independence, the higher educational system has produced a top layer of intellectuals with university degrees. There has even been some unemployment among such people in India. In Eastern and Western Nigeria, which became self-governing in 1957, they are already receiving such a flow of young graduates that they are considering instituting a competitive examination for entry into the public service.

This is not, of course, due to a real sufficiency of trained people, but to a distortion of the educational process in past years. The prestige of the older British and European universities, and consequently of the arts, coupled with the overwhelmingly non-technical education of the colonial ruling class led to an excessive concentration upon non-technical studies, above all the law. In many new states today this has resulted in a full, often too full, complement of lawyers alongside a desperate shortage of scientists and engineers.

This bias, communicated from the colonial rulers to the peoples of the territories, is reflected in the tendency of young scholars to prefer the arts to science, the only scientific subject to be widely favoured being medicine. Little was done until quite recently to correct this preference by planning higher studies and overseas scholarship programmes with a view to meeting the most pressing needs of the country. The most startling example of this which has come to my notice is the refusal in the past of the British-run University College at Accra to have an engineering faculty at all, a decision which the present British management greatly regrets.

The tendency for higher education to be somewhat remote from local needs has been further accentuated by the fact that so much of it still has to be given outside the country, in institutions whose curricula have evolved to meet the requirements of a society at a very different stage of development.

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There can, of course, be no escape in new states from the long process of building up a population generally educated for the needs of a modern society. The process can, however, be somewhat accelerated by conscious adoption of certain priorities in education and training. This is already being done in many territories, and the present lack of balance is likely to be rectified as the demands of development projects and the purposefully planned scholarship programmes begin to draw students in larger numbers into the study of science and technology.

I will return in a moment to discuss the role of external aid in this field, but first I must say something about the short-term problem of making good, by technical assistance and foreign recruitment, the immediate manpower shortages which occur in the transitional period, when expatriate officials of the old colonial service begin to leave.

TRAINED MANPOWER FROM OUTSIDE

The Transitional Period

Most new states on independence day are still relying, as I have said, on a large number of expatriate officials of the old colonial service. These consist of long-service administrative officers and of numerous professional and technical officials, many of them also long-service men. The degree to which they have already been replaced by locally recruited men, the process inelegantly described as "nativization," varies from one territory to another, but rarely much exceeds 50 per cent. and is frequently much less in the senior grades. The ideal solution in such circumstances is a phased run-down of the old service, as locally recruited men become available. This might take anything from three years to fifteen according to the territory.

There have already been some fairly successful examples of this process. The Federation of Malaya, for instance, made a plan in 1956, and reached independence in August 1957. Although the run-down of the old service occurred faster than the plan had envisaged, nevertheless today, despite many unfilled vacancies in the service, the critical stage of the transition seems to be past, the public service is substantially in control of Malaya and the position is now expected to improve.

This type of operation, therefore, can be made to work. It has not been unsuccessful in Ghana, and the prospects for Nigeria are not bad either. The method has the double advantage that there is the minimum of dislocation, since the same men continue to do work with which they are familiar; and that local officials, being partly freed from the necessity of simply keeping the machine running, have some chance of fitting themselves for the higher responsibilities which independence brings to most of them.

It has to be realized that the transitional period is bound to be short. With the quickening of "nativization" the sources of the old colonial service are bound to dry up. After a few years only experts of various kinds are likely to be either available or wanted.

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Moreover this operation is possible only in favourable political circumstances. Alongside the successful instances of Malaya or Nigeria one could quote Indonesia, the Sudan or Guinea. In these new states a sound relationship between the new Government and the old colonial service was unattainable for political reasons, and sources of manpower other than the former colonial power had to be found. This has not proved easy to do, and in each of the cases quoted there has been some dislocation of government and considerable delay to development plans.

The recent case of Guinea has clearly shown that no international organization yet exists on a scale which would enable it to step in and make good major deficiencies in trained manpower in an emergency. The only alternative at present is an unplanned scramble by a dozen different nationalities, pouring into a small country in the hope of making some

political capital out of supplying emergency help.

It seems to me that such situations could be far more advantageously handled if international organizations were so expanded and strengthened as to enable them to play a more adequate role. I do not suppose that any international organization could hope to have standing resources so great as to enable it to make good entirely so wholesale an exodus of trained men as occurred when French officials left Guinea. Nevertheless, I believe that the case for allowing the United Nations and possibly other international services to expand appreciably beyond their present modest level has been greatly strengthened by these events.

The Longer Term Problem

Once this transition is past, new states are on much the same footing as all other under-developed territories—though their level of sophistication and development is usually higher. They have to build up education at all levels, increasingly in their own countries, and with their own teachers.

I do not want to decry the usefulness of the scholarships and fellowships overseas, which are granted by Governments, private undertakings and trusts, and international organizations. These are at present the biggest source of higher education. For instance, there are over 3,000 Nigerian students in the United Kingdom alone, and there are more Nigerian students at British universities than at University College, Ibadan. I hope they may continue. Indeed they must continue at least until local institutions can be expanded.

We should not, however, overlook the fact that many of these students face real difficulties of adaptation on return. Many of them are conscious, after a long stay in Europe, of being a class apart, and this is one of several reasons why, in Nigeria for instance, the Governments and the major oil companies which give scholarships are increasingly devoting their resources to improving local higher education. Not only would higher education, given mainly abroad, become impossibly expensive if it had to be expanded to meet future needs; but in addition, the possession of an adequate educational system in one's own country is an essential attribute of nationhood and the social effects of it are in every way to be desired.

It is my impression that the Governments of highly developed nations, for instance the United States, Britain and France, find it easier to promote scholarships in their own institutions than to give help in developing local institutions. Britain deserves much credit for creating the existing institutions of higher education in Africa, but these are no more than a tiny nucleus of what is required.

Maybe I am unduly cynical in wondering whether there is not an element of more or less benevolent and almost unconscious imperialism in preferring to draw the young intelligentsia to one's own country rather than help them to obtain education in their own. The old saying that "Trade follows the flag" has become "Trade follows the technician." Train a man in your

school of engineering and he will later order your machinery.

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Whether this is a fair comment upon motives or not, it is a fact that international organizations, notably the United Nations Technical Assistance Administration, have found in the promotion of training facilities on the spot in various areas a field which has been inadequately cultivated by others.

Considering the relatively small scale of United Nations activity which member states have so far been willing to finance, the United Nations may claim to be making an outstanding contribution in this limited field.

Beginning with the setting up of Institutes and Schools of Public Administration in Southern and Central America in the early 1950s, the United Nations has helped to create similar establishments in Egypt, Ethiopia, the Sudan and Turkey and has provided skilled help and advice in this field in other countries of Asia and Africa. In each case the object, which has actually been achieved, has been to have the country concerned, after a few years, capable of maintaining by itself a national institution which it could never have started without outside assistance.

THE CURRENT STATE OF INTERNATIONAL ORGANIZATION

The principal international instrument for providing Technical Assistance is the United Nations Expanded Programme of Technical Assistance, which is ten years old this year and co-ordinates the programmes of the main Specialized Agencies such as the Food and Agriculture Organization, the World Health Organization and others.

Its annual budget this year is just over \$33 million, not a large sum when one considers that its coverage is virtually world wide. In judging how much can be done for this sum, however, it must not be forgotten that recipient Governments contribute substantial counterpart funds in local currency, and also that many of the projects are chosen because they are likely to have a catalytic effect. When successful, therefore, they tend to set in motion activities which eventually are out of all proportion to the initial cost.

The programme is fully international in character: 86 countries have contributed to it and 140 territories have benefited from it. Many countries are now both givers and receivers, as is shown by the fact that in 1958 experts were drawn from 64 different countries and fellows were sent for training to 68 different countries. The fact that countries which need help in one sphere are often able to give help in another is an important factor in creating mutual respect between givers and receivers.

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The experts employed are international officials, paid by and answerable to the United Nations, though recently some Governments have asked and received United Nations help in obtaining experts on payment. In principle however, the experts are advisers or trainers and teachers rather than executives, though this distinction is not always as meticulously observed either by Governments or by the officials themselves as the United Nations would wish.

The service has been fairly stable in size for several years. It has passed through its teething troubles and has acquired a considerable amount of skill and experience. The question now has to be faced whether the member states of the organization are willing to turn it into a major force in world development or not.

Before discussing this I must describe a much more recent venture, the new Operational and Executive service of the United Nations, now known officially as OPEX. This is the outcome of the Secretary-General's plans

for an International Administrative Service, first outlined in 1956.

As authorized and put into operation in 1959, it had a ceiling of 25 official and \$250,000. By the end of the year 20 of these officials will be in the A further year's activity on a marginally increased scale is being authorized for 1960. It is thus only a pilot scheme. As a world-wide service it does not vet exist.

OPEX differs from technical assistance in that its officials go out a employees of the requesting Government. They go under a three-cornered contractual arrangement involving agreements between the Government and the official, the Government and the United Nations, and the United Nations and the official. They are operational, not just advisory. It is an integral part of the arrangement that one of their duties is to train locally recruited men to take over their posts when they go.

While the official becomes a civil servant of the requesting Government the United Nations supplements the local rate of salary, which the Government pays him, sufficiently to make international recruitment practicable. means of agreements with the Government and the official it provides the official with adequate security in respect of fair treatment and generally

acts as parent body to those whom it recruits.

It is the Secretary-General's hope that it may be possible to build up a nucleus of long-term overseas officials willing to be transferred from country to country. The service, however, also employs, and is likely always to employ, experts on contract and on secondment from national government service, as United Nations Technical Assistance also does.

That there is a modest demand for this type of service was clear from the start. Indeed this was the Secretary-General's main reason for launching By September 1959, 106 requests for officials had come in from 30 countries. The demand might well have been much greater had it not been well known to all Governments how slender were the authorized resource which OPEX could command.

The whole project is so obviously needed, and has been so carefully planned and circumspectly launched that one would have thought that the only thing to argue about would have been the appropriate scale on which the rela TRAINED MANPOWER FOR NEW STATES: THE SCOPE FOR INTERNATIONAL ACTION

new service should operate. In fact it encountered stiff opposition. It is instructive to consider some of the arguments used.

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"It is no part of the functions of the United Nations to act as a kind of international government, or even to plan for governments on an international It should never remotely consider assuming responsibility for the general direction, economic or social, of any nation or region. Countries must plan for themselves and endeavour to raise their levels of living chiefly through their own efforts . . . it (that is, a career service under international responsibility) could lead to a degree of central control of the under-developed countries' policies—a direction in which this delegation would not like the United Nations to move."

Thus spoke the British delegate in the Economic and Social Council in July 1956. At that very moment the Government to which he belonged was busy organizing, albeit ineffectively, its own overseas service, consisting of long-service administrative and executive officials, destined to serve not only in dependencies but in independent new states as well. At that very moment it had no less than 500 pensionable and 500 non-pensionable British officials serving in the newly independent state of Ghana alone, it was expressing regret that more had not stayed there and was claiming, rightly, that the presence even of this large number of British officials in no way infringed Ghana's genuine independence.

This ludicrous and wholly hypocritical posture towards the proposed international service had to be abandoned, and the United Kingdom Government have now grumpily come round to giving the new United Nations project their lukewarm support. The interesting point about the speech I have quoted is its revelation of the deep suspicion of international organization as such which is ingrained in the British official mind.

The Soviet Union and others expressed the more reasonable, though still I think unjustified, fear that if the United Nations began to do the work of Governmen's for them, this might divert attention and effort from the more fundamental task of training a wholly indigenous service. As the service has now been designed, it does not seem that this is a serious danger.

I do not myself foresee a spectacular growth of OPEX on the purely administrative side. Only administrators with highly specialized knowledge, such as budgetary and financial experts, are likely to be regularly in demand in large numbers. On the professional and technical side, however, it might men grow a great deal and the demand might remain steady for an almost indefinite period. I should therefore like to see the service allowed to expand at a reasonable speed. I believe, too, that it should as soon as possible be given a prospect of relative permanence instead of having to live from year to year. Only on this basis can it hope to include a proportion of men who make international overseas service their career and consequently become urca genuinely expert in its techniques.

Judgment on this issue inevitably turns largely on the view one takes about the advantage of a progressive strengthening and diversifying of international organizations as part of the future pattern of a peaceful and only h the relatively stable world.

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It is often said that international organizations are by their nature inefficient compared with bilateral arrangements made between Governments. It is, of course, true that an international service for the organization of aid has to face certain complications from which colonial services in the past were relatively free. Colonial services, for instance, used to have long-service cadres. This enabled them to overcome linguistic and, in many cases, cultural difficulties. Above all they had political control.

These advantages, however, are no longer enjoyed by organizations for giving aid bilaterally any more than they are by international bodies. The inefficiency of some United States aid operations since the war has certainly been no less marked than the mistakes of the United Nations, and even the British Colonial Development Corporation, though backed by all the experience gained by Britain during decades of colonial rule, has a formidable list of failures as well as successes in its record. Indeed the Corporation's proportion of failures was only reduced at the cost of confining its ambitions within such restricted limits as to make it relatively uninteresting as an instrument for international development.

The truth is that serious mistakes and set-backs have accompanied most attempts, whether national or international, to force the pace of development in unfamiliar conditions. Personnel have for instance often been provided for unduly short periods, so that they barely become familiar with a territory before leaving; but this has been as true of United States as of United Nations aid administrators and even of some British experts employed on short contracts in former colonies after independence. As the long-service men of the colonial era melt away, the advantages enjoyed by former colonial powers over the international agencies become relatively less.

It is important also to realize that new states need skills of a rather different kind from those traditionally provided by colonial services. The training of the typical colonial official made him a maid-of-all-work. As District Officer, he turned his hand to anything, from dispensing justice to building bridges or stopping riots. Later he might move into the Secretariat to turn economist, budget expert or political adviser. It is no reflection on these men to say that what new states now need is real specialists. Maids-of-all-work and political advisers will be found from indigenous sources.

It will be little if at all easier for Britain than for the United Nations to provide a constant stream of first-class professional and technical men on contract, which is the main requirement today. In some areas, for instance in West Africa, an international body which could build up a corps of experts familiar with the problems of the whole area, and capable of transcending the artificial boundaries dividing the former French and British colonies, would have a real advantage. To treat West African medical, agricultural and forestry problems as a single whole would economize manpower and would serve as a useful antidote to Balkanization, which is one danger threatening the area after the end of colonial rule.

For those who find the universal element in the United Nations too great a handicap to efficiency, there is the alternative of adopting regional techniques, such as have already been successfully employed in the Colombo Plan in South-East Asia or, on a tiny scale, by the Foundation for Mutual Aid in

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In Africa particularly it would be unfortunate if purely national programmes of aid, linking for instance France with the Ivory Coast and Dahomey or Britain with Nigeria, and thus projecting the economic divisions of Europe into West Africa, were to be given preference, to the exclusion of programmes based on international co-operation.

This is happening to a large extent at present, and there is a powerful drive in British and French official circles to keep it so. I believe this to be a shortsighted policy and one which may hold dangers for the future.

I think that new states would welcome an increase in multilateral aid, but they cannot be expected to press for it so long as it is evident that those powers, which have both capital and skilled manpower to contribute, are unwilling to supply through international channels more than a fraction of the assistance which they offer on a national basis.

We therefore come back to the decisions which have to be taken by western Governments. If, as I hope, they decide to increase the total of their overseas aid, no doubt the temptation will become even stronger than at present to keep this expenditure directly under the control of their own parliaments. I am not such an Utopian as to ask that they should completely abandon bilateralism in favour of a vast expansion of United Nations or other international agencies.

I do, however, suggest that, in this question of trained manpower at least, the long-sighted policy would be deliberately to build up international services, both world-wide and regional, as being the instruments best suited to future needs and to the conditions of the post-colonial period.

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Public Accountability of the Nationalized Industries

By G. H. DANIEL

This article summarizes two lectures given at the University College of Wales, Aberystwyth, on the 12th and 13th October 1959. The author, who is an Under-Secretary in the Ministry of Power, takes sole responsibility for the views expressed, which are not necessarily those of the Ministry.

R OUSSEAU remarks in his Social Contract that "As soon as any man says of the affairs of the State, What does it matter to me? the State may be given up for lost" and, on the same argument, it is a healthy sign that there is interest in the affairs of the nationalized industries.

There has, in fact, been constant pressure from a number of quarters to extend and intensify the arrangements for securing the public accountability of these industries. This pressure arises in part from the political interest which naturally attaches to nationalization. It also arises because members of the public feel that since the industries are publicly owned they can properly take up with their Member of Parliament any issue that concerns or interests them. Members naturally wish to be as helpful as possible to their constituents but, on the other hand, Ministers have to protect the Boards from interference in day-to-day management. Inability to obtain answers to a substantial number of the questions tends to create a sense of frustration and of dissatisfaction with the existing arrangements. The fact that commodities like house coal were under direct Government control during the war and for some time afterwards so that Ministers were at that time accountable in detail, has made it all the harder to accept disclaimers of responsibility.

SUGGESTIONS FOR INCREASED CONTROL

Proposals by Members of Parliament for increased public control have concentrated in the main on greater room for Parliamentary Questions and greater powers for the Select Committee on Nationalized Industries. As regards the former, the rules of the House lay down that Ministers may only be questioned on public affairs with which they are officially connected or matters of administration for which they are responsible. questions may not be asked if they are substantially similar to ones already answered or refused. Ministers can be legitimately questioned about their own actions and responsibilities—for instance, any action they may be taking to co-ordinate the activities of the nationalized industries, and their discharge of duties specifically placed on them under the Nationalization Acts. Since these Acts provide general powers to obtain information from the Boards, Ministers could in theory give any information requested by Members but If they did so they would be in danger of being pressed to intervene in day-to-day management. Successive Governments have refused to accept this risk. Mr. Speaker Clifton Browne proposed in 1948, and the House endorsed, a slight relaxation which would enable him to admit questions of a day-to-day

character in exceptional circumstances where he was satisfied that matters of sufficient public importance were involved. A very large proportion of the issues which are put to them by their constituents and which Members wish to raise are still, however, of a detailed nature and there is a continuing strong body of feeling among Back Benchers on both sides of the House that greater use should be made by Ministers of their powers to obtain information from the Boards to enable them to answer such questions. It is argued that it is often impossible to make a clear distinction between day-to-day and general policy and that a specific issue of apparently day-to-day character may raise an important matter of policy which would be best brought to notice by Parliamentary question and answer.

Although the terms of reference of the last Select Committee on Nationalized Industries were broadly drawn, there is a section of Parliamentary opinion which feels that there was insufficient expert assistance available to the Committee, and that an independent expert officer comparable with the Comptroller and Auditor General is needed who could carry out proper investigations which could form the basis for consideration by the Committee. This suggestion was reported upon in the last Report of the Select Committee itself. This concluded that the appointment of an officer similar to the Comptroller and Auditor General should be rejected on the grounds that it would appear to be leading towards a grand inquisition into the nationalized industries by officials acting on behalf of Parliament. But it suggested that the House of Commons should consider empowering the Select Committee to appoint a trained accountant from an outside firm to act as an assessor and/or to have the services of an economist appointed to the staff of the House

There is also a body of Parliamentary opinion in favour of increasing the control of the House over the Ministers responsible for the nationalized industries. Ministers have almost never issued general directions but exercise their influence in informal and private consultations with the Boards. It is alleged that because of their status as members of the Government, their powers to issue a direction if need be, and also to make appointments, Ministers' influence is great and the Boards' views are frequently overridden; because public responsibility for the decisions reached is taken by the Boards Parliament is left ignorant of the precise nature of the Minister's activities This criticism has sometimes focused on the gentleman's agreement by which the Coal Board has undertaken to consult the Minister of Power before making any general change in prices, and it has been suggested that if the Minister wishes to intervene in this field he should do so by issuing a formation direction. His action would then be known and could be debated in the House. Because only a very limited amount of time would be available for this purpose on the Floor of the House, it has also been suggested by some Members of Parliament that interrogation of the responsible Ministers might be done by the Select Committee on Nationalized Industries, though this runs counter to the well-established tradition that Ministers are directly responsible to the House as a whole and not to a committee. Another suggestion directed at reducing the powers of Ministers has been that appoint ments to the Boards should be made the responsibility of an independent Tran in 19 It

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appointing body of the kind that operated in the case of the London Passenger Transport Board until this was vested in the British Transport Commission

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It has been questioned whether present arrangements whereby accounts are audited by an independent firm of professional accountants are sufficient, and various forms of more elaborate checks on the industries by outside experts have been suggested. The Webbs had thought that a key part in securing the efficient operation of the nationalized industries would be played by "the disinterested professional expert who invents, discovers, inspects, audits, costs, tests or measures." Professor Robson has suggested that regular scrutinies of efficiency should be carried out by an Audit Commission which would consist of a body of experts specializing in this work and attaining great experience in the organization and affairs of the nationalized industries. The Commission could possibly give assistance to the Select Committee on Nationalized Industries just as the Comptroller and Auditor he General gives assistance to the Public Accounts Committee. The proposed Cemmission would seem similar in some respects to the special Commission established in France for the verification of the accounts of public enterprises. tee This body is composed of Government auditors and representatives of the Ministers responsible for the nationalized industries. It goes beyond accounting since it deals with the quality of the financial and commercial management and the activities and results of the undertakings, and so carries out a general efficiency audit. It makes a general report to Parliament as well as detailed reports to the responsible Ministers.

Other suggestions have been made by Lord Morrison of Lambeth. The organization of the corporations should be periodically re-examined. Again the British Institute of Management should provide a panel of industrial consultants who would be available for the use of corporations. Alternatively, the Boards themselves should jointly create an industrial efficiency unit of their own to be available to any of them for carrying out investigations.

This unit would present its reports to the Board concerned.

A number of proposals have also been made for strengthening the Consumer Councils. It has been thought that these Councils do not satisfactorily bridge the gap between consumer and producer. This may at first have been partly attributable to their newness. But it is also contended that it reflects intrinsic weaknesses in the machinery. These should be corrected by giving the Councils an expert staff independent of Ministers and the nationalized industries; the Councils should be given greater powers; their membership should not include representatives of the nationalized industries, and their appointment should be less dependent on the Minister. More ambitiously it has been suggested that the different Consumer Councils should be brought together into a single service operating regional council, representative of all me consumers of the nationalized industries. The regional councils themselves could perhaps be appointed by Local Authorities and responsibility for the whole organization could be placed upon a Minister of the Crown. tly

Finally, it has been argued that there should be administrative tribunals analogous to the Transport Tribunal and with statutory responsibility to approve prices and deal with complaints about bad service or discriminatory

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treatment. It has been contended that it is not adequate to place broad, but unenforceable, responsibilities on public corporations, to have only general control by the Minister, to have no more than consultative committees to express the consumer's point of view and to give the private citizen no further legal protection than recourse to the Courts in cases of breach of contract. Dissatisfied consumers should have the right of appeal to an independent tribunal which should have powers to enforce a fair decision.

SOME GENERAL CONSIDERATIONS

What is to be made of all these suggestions? The implementation of some of them would perhaps help to improve the efficiency of part of the existing machinery of control and could be justified on the grounds that if there is to be such machinery at all it is right that it should function efficiently. But it would involve us in too much detail to examine carefully the merits of each suggestion from this point of view. Let us consider instead the broader

aspects of the suggestions.

To begin with, we may note that the volume of public opinion in favour of increasing the public accountability of the nationalized industries is partly due to reasons which, although understandable, are yet not such as to justify action in this direction. Proposals springing from a politically-motivated desire to expose the inadequacies of public ownership fall into this category. So does the tendency to continue to expect detailed answers to questions because they were once given by Ministers when some of the industries were under their direct control. And so, of course, does any pressure for intervention which appears to be prompted by a narrow financial or commercial interest rather than by concern about the public good.

On the other hand, pressure for increased accountability also springs from an honest worry that one or other of the nationalized industries is not being managed as efficiently as it should be or that its actions are not in the widest interests of the public. Even here, however, it does not necessarily follow that it would be right to increase the present degree of public control over the industries. The whole basis of organization of the industries nationalized after the war is a balance between, on the one hand, the need to encourage efficiency by giving the management scope for enterprise and, on the other, the need to secure a measure of democratic national control and to ensure that adequate regard is paid to the requirements of consumers and the line of general Government policy. This balance has been effected by, on the one side, constituting the Boards from men appointed by the Minister on grounds of individual ability and experience and making the corporations independent entities with their own staffs and with full responsibility for management and, on the other side, keeping a general control in the hands of Ministers responsible to Parliament and creating Consultative Councils for the representation of the consumer interest. A similar balance of objective also characterizes the arrangements for financing the Boards. The large amounts of capital which they require and could not expect to be able to raise by themselves in the open market are provided to them from the Consolidated Fund without the detailed control normally exercised by the Treasury and roof by the Comptroller and Auditor General. But financial discipline is secured

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by requiring the Boards to repay these advances and to ensure that over a period of years their outgoings on revenue account, after making proper provision for interest, depreciation and other payments do not exceed their proceeds. Public accountability is secured by requiring the agreement of Ministers to the broad lines of the Boards' investment programmes, Parliamentary approval of the total sums that may be advanced to them for capital purposes and presentation of their Annual Reports and Accounts to Parliament. A strengthening of the arrangements for securing accountability, with the result that the Boards were more constantly bathed in the limelight of public opinion and more frequently examined and re-examined in detail on their actions and intentions, would upset the balance on which their present organization is based and could be at the expense of efficiency.

A danger which must be guarded against is of a cycle developing whereby Governmental control over, say, prices and investment leads to losses on revenue account which, in turn, lead to denigration of the industries and requests for closer control and ends with further Ministerial interventions with consequential weakening of the industries' own management. France offers examples of nationalized industries where this process has gone a long Thus, even in the case of one of the most successful of the French nationalized industries-Electricité de France, which has not had to solicit subventions from the State-intervention by the Minister of Industry and the Minister of Finance, acting separately or jointly, extends to the control of wages and salaries and the cost of coal and hydro-electricity purchased, as well as to the fixing of tariffs, the planning of capital expenditure and examination of the progress and realizations of investments. Diffusion of authority, delays, excessive paper work, and difficulties between the State, the industries and trade unions, become difficult to avoid in such

circumstances. Because it is easy to fall into the fallacy of thinking that measures to increase accountability provide a way of increasing efficiency, it is worth pausing to consider some of the intrinsic limitations in the situation. the first place there are very real difficulties in assessing efficiency and the correctness of particular decisions. Thus, in coal-mining the hazards of Nature are great and there is a natural tendency for costs to increase as the more accessible reserves are worked out, so that information about costs of production does not provide a simple index of efficiency. Again, the profit or loss made by the industry on revenue account is also not an adequate test by itself; it may reflect factors largely outside the Board's control-for instance, a violent change in the market or some form of Governmental for intervention. Nor is there an easy way of assessing the correctness of a decision to invest many millions of pounds, for example, in sinking a new pit. A pit, like a man, may take a quarter of a century to reach maturity, stay in ves this condition for another quarter of a century and take a further quarter rge century to die. The sinking of the shaft may be delayed by unforeseen difficulties. Extraction of the coal may be hindered by faulting, irregularities ted in the coal seams, the presence of water and gas or unexpected difficulties in and roof control. However carefully the estimates are made beforehand, the red correctness of a decision to sink a particular new pit may only be capable of

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assessment after many years of operation and even then a failure is not necessarily culpable but may only reflect the occasional lack of success to be expected in an intrinsically speculative enterprise. Yet again, it is a sound principle that the prices of an industry's products should reflect their relative costs, but this can be no more than a very broad guide. With many products produced in association with each other—for instance, coke and gas at gas works and coke ovens, and coals of different sizes in coal preparation plantsit is not easy to apportion costs between the products. Moreover, other factors have to be taken into account—in particular, the balance of demand and supply for each product, the time and money needed to adjust supply to demand and the practical difficulties that may arise in differentiating between consumers according to the costs involved in supplying them. Thus, hardly any of the main problems on which the management of the nationalized industries have to take a decision can be settled by a simple reference to a few figures or principles, and any committee or investigator seeking to check the correctness of an industry's decisions would find that this applied also to them. Granted a reasonable degree of natural intelligence and goodwill, the best decisions-though they will remain human and fallible ones-are likely to be taken by the men with the greatest knowledge and experience of the industry, who have the clearest responsibility for success or failure placed upon them, and who are freest to get on with the job.

There are other limits to what can be done to oversee the work of a nationalized industry. In his Considerations sur la bureaucratie, M. Crabbe defines the bureaucracy as "a system of activities which makes these impervious to technical progress." Without necessarily accepting this definition, there is little doubt that reorganization of the nationalized industries on a State Department basis similar to the General Post Office would encounter disadvantages in Treasury control over staffs and finance and in answerability in detail to Parliament. It would also result in a big increase in the economic power of the Government. The alternative of closer oversight by Ministers within the existing organizational framework would give rise to increasing concern about the extent of the influence exercised informally without the knowledge of Parliament. There would be the risks of getting the Government involved in negotiations with the unions and of undermining

the authority of the industries' own managements.

There are limitations also to the oversight that can be exercised by Parliament. Parliament does not have the resources and the time needed to provide a series of expert committees for keeping a close control over the nationalized industries. It would be illusory to think that the members of a Parliamentary committee in the limited time available to them could analyse the true nature of an industry's detailed problems and give the correct guidance. Moreover, it is probably an illusion to think that Parliament's approach to the nationalized industries will ever be free from political interest. Mr Gladstone once told the House of Commons "Your business is not to govern the country but it is, if you think fit, to call to account those who govern it." What Parliament can do—and it is an all-important function—is to provide a forum for expressing at the highest level the viewpoint of the nation as a whole and to provide machinery whereby, if things really go wrong

with the industries through the fault of either their own organization or the activities of the responsible Minister, the necessary changes will be made.

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Again, although there is a case for increasing the effectiveness of the tive Consumers' Councils, there are limits to the powers that would be desirable for those bodies if they are not to reduce the effectiveness of the Boards. Changes in price structure will rarely please all consumers; they are nearly always a source of greater gain or loss to some consumers than to others. So a Council composed of representatives of consumers is likely to find serious difficulties in reaching prompt decisions in this field. Moreover, in a mixed economy, flexibility in adjusting their prices and the qualities of their goods or services to meet competition from the private sector is important for the survival of the nationalized industries. If the Councils were reconstituted as, or supplemented by, administrative tribunals possessing powers of decision, and proceeding by public hearings and using judicial processes and dealing with the nationalized industries alone, they would be particularly disadvantageous to these industries.

It might be thought that the alternative to strengthening the supervisory machinery is to concentrate instead on making such machinery unnecessary by decentralizing the industries into a number of independent units competing with each other for the consumers' favour. Reliance would then be placed on competition, and managements would be given full scope for enterprise by being left free from all except the minimum of public supervision. On this approach the authorities would deliberately organize the industries in such a way as to secure as many as possible of the theoretical advantages of a competitive system which are well known to the economist. attractive notion; it promises to reduce the disadvantages to morale and efficiency that tend to inhere in very large organizations, and it would provide each unit with the simplest and best measures of efficiency, namely success in reducing its costs and extending its market compared with other competitors in the same industry. But while the theoretical advantages of such a natural and automatic form of control are great, the scope for seizing them in practice is restricted in the case of the industries at present nationalized. It is not accidental that the railways and the gas and electricity industries have been under a substantial measure of public control almost since their inception. This control has been largely the consequence of the natural monopoly which a railway line, a gas main or a power station enjoys. The cost of duplicating these services in order to introduce direct competition between different units within the industries is prohibitive, while the technical advantages of large-scale production and planned distribution are great. The industries also need large amounts of capital for modernization amounts which are unlikely to be available except from the State. They need national arrangements for negotiations with the trade unions. A measure of central control is also required to avoid the economic and social dangers that might result if there were a sudden decentralization to financially independent units leading to the forced closure of uneconomic rail services or collieries and leaving no time to arrange alternative facilities or supplies or to provide new sources of employment. While, therefore, such real opportunities for decentralization as exist must be taken, the need for operation under a substantial degree of central financial and planning control must be expected to continue and to carry with it the necessity for public accountability.

Improvements in the organization and efficiency of the nationalized industries are clearly not an alternative to public accountability. Nor, on the other hand, is public accountability an alternative to improved efficiency. A system of committees and investigators which showed a nagging concern with details that ought to be left to the industries to deal with on a commercial basis would soon sap the initiative and morale of the Boards. At the same time, effective arrangements are needed to ensure that the broad policies of the industries are in the national interest and to enable changes to be made if Ministers or Boards are failing in their tasks.

The present arrangements were designed to provide a reasonable balance between accountability and control on the one hand and the advantages of independent commercial operation on the other. It may be that the present machinery for securing the former could be improved in detail. It may also be that the general balance as between the two could with advantage be tipped a little one way or another. It has not been my object to put specific proposals to this end before you. My aim has been the more modest one of explaining a little of the background and of suggesting a few of the basic considerations which you might usefully bear in mind in forming your own views or in assessing the proposals of others.

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Sir Arthur Helps and the Art of Administration

By B. B. SCHAFFER

Mr Schaffer is Senior Lecturer in the Department of History and Political Science, University of Queensland

1959 was the centenary of the second series of *Friends in Council* by Sir Arthur Helps. These once-famous dialogues were amongst the many writings of this nineteenth-century civil servant, a post-Greville Clerk to the Privy Council. Is there any reason why students of public

administration should now be interested in Helps's work?

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We might note in the first place that the similar writing of Helps's contemporary Sir Henry Taylor, *The Statesman*, has, though this was not always so, received much more attention than Helps's work. If there is a market for Taylor, there should at least be a stall for Helps. The similarities are striking. Mid-century public servants with literary pretensions, they both set out to express views on success in administrative life. This object put them in the long but delicate tradition of *Fürstenspiegel*, of advice to princes rather than sermons to the public, a tradition which, being Machiavellian, was presumably out of fashion in mid-Victorian times. Typical of a certain sort of Victorian career, they both composed series of short pieces of advice on the demands of administrative behaviour. In so doing they expressed views about the arts of rising and the rôle of Parliament which were, perhaps, unacceptable at the time.

If we are now more interested in Taylor's work than were his contemporaries, we ought also to be interested in Helps. There has, inevitably, never been very much writing of this sort. It makes peculiar demands on career (achievement without involvement), ability (literary as well as practical) and tastes, and, before the era of the Organization Man, it could rarely have been widely acceptable. It is addressed, after all, to the success of the governors, who are few, not to the welfare of the governed. It is not preaching, and it is not, in the modern manner, science. We ought to cherish the little that we have. While The Statesman and Helps's later work Thoughts upon Government were failures, the earlier writings of Helps, the two series of Friends in Council, where dialogue enabled Helps to attribute his more dashing views to fictional characters, were in their time successful. Furthermore, we should begin to be more fair to the public service they were both writing about: the pre-reform service. This is one reason why we read Taylor now: it is a reason for reading Helps too.

To understand Taylor and Helps we must see how they fitted into their service, and, with Stephen, Chadwick, Trollope and their work, they themselves help to complete its picture. It is clear by now that they were working in a service which could provide a worthwhile career for men of considerable talent, and that had not been true a generation before Stephen. We are reminded of how much reform there had been before the actual

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reform years of 1855 or 1870. We can now distinguish at least four types of which this pre-reform service was composed, other than the lesser breeds who were the acquaintances of Trollope's Johnny Eames, or who were described in the pages of evidence taken by Trevelyan and Northcote or later in the 1860 report on the Civil Service. The first type would be the satisfied and competent mainly concerned with the social pleasures to be found after 4 p.m.: the young Algernon West² or, in fiction, Eames himself. There were those who saved their resources for an occasional but splendid flame of official genius, like Sir James Stephen in the 1830s. There were those who were called in by incipient crisis: the specialist, the expert, the campaigner; the Chadwicks, the Hills, the Kay-Shuttleworths, the Southwood Smiths. Then there were those like Taylor and Helps themselves, more or less competent than the Wests, who consumed their resources of energy in literary ambition: historical romance or biography for one, mood of recreation and intellectual comment for another.

This was Helps's Civil Service. There is one particular verdict on his role in the reform of this Service which places him very high indeed. In his introduction to Smith's Life of Kay-Shuttleworth, Sir Michael Sadler wrote, "Edwin Chadwick, Arthur Helps and he (Kay-Shuttleworth) are characteristic figures at a time of readjustment of English social ideals. . . . All three were creators of a new Civil Service. The English race is not good at bureaucracy. But he, Helps and Chadwick, saw the need for an efficient, scientific and determined public service. . . . Helps had the safer place and the less turbulent duty. But his writings, more than Chadwick's or Kay-Shuttleworth's, disclose the fine motive which inspired the fighting members of the group." Helps was not one of the fighters. It was his writing that earned him this praise.

CAREER AND WRITINGS

Bearing in mind the similarity to Taylor, the relative rarity and peculiar value of this sort of work and Sadler's opinion, we may be unwise to give all our attention to Taylor and none to Helps. Helps's career, without his writing is the sort which (like Taylor's) may earn oblivion. Somewhat younger that Taylor (he was born in 1813, Taylor in 1800) his education was more orthodox: Eton and Trinity, Cambridge. His public service career was a smooth, though somewhat more varied: private secretary to Melbourne's Chancellor of the Exchequer, Spring-Rice (whose daughter Taylor married in 1839) and then, in 1839, to Lord Morpeth; Commissioner of Claims; and successor to W. L. Bathurst as Clerk to the Privy Council in 1860, where he remained until his death in 1875. His entry was not dissimilar from his predecessors', Greville and Bathurst, but he was much more truly politically neutral than the one, much abler than the second and much busier that either. Like Taylor he received no honours until late in life: C.B. in 1871 and K.C.B. in 1872. His widow was awarded a pension on the Civil List.

The apparent highlights of his career were all on paper, as his type and a Sadler's verdict may lead us to suppose. He was a sort of literary devil for Queen Victoria: he revised Albert's Speeches for the press in 1862 and prepared the Queen's own Leaves from the Journal for the press in 1868 and

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Mountain, Loch and Glen in 1869. His own writings, outside our immediate concern, covered history, biography, fiction and drama, and he achieved real success with the four volumes of his Spanish Conquest in America (reissued as separate biographies) and his Life and Labours of Mr Brassey, 1872 (which ran to seven editions). None of this put him beyond the Victorian pale (though some work with Kingsley in 1848 was slightly less orthodox) and as an essayist for the journals he was more successful still: the Stephens remembered him as the most prolific writer of the influential "middle" essays of the day.⁴

Such a literary career could be borne without any skimping of his duties, by an exercise of Victorian energy within the confines of his job. Helps was relatively well born, well educated, a friend of Palmerston, a fairly successful man. He was also popular with his subordinates. G. C. Boase described him in the D.N.B. as "shrewd, singularly clear-headed, highly cultivated," and his subordinate, Preston-Thomas, gives a warm picture of his courage, tolerance and humour.5 This sort of man does not keep his colleagues' respect unless he does his work which was not, in fact, all that limited. It was the Office's accession to public health functions which, according to Preston-Thomas, had necessitated the bringing in of such an able manone of the ablest of the century, according to Macaulay's recommendation to replace Bathurst. He had already served as Commissioner for Relief in famine-stricken Ireland. The Office was not without its crises during Helps's tenure, and they were peculiarly varied: cattle plague, educational policy, public health and such a delicate matter as the Queen's continued retirement. Helps played his role in them all; one might have thought that his support for Lowe and Lingen's policy of payment by results for educational grants would not have endeared him to Sadler.6 It was, appropriately enough for the author of the sort of writings we are interested in, precisely in the role of intermediary between the Queen and her Ministers that he was at his best.7

His contemporaries would expect us still to be reading his histories. Sadler indicates that we ought to read what he wrote about administration and one at any rate of Helps's contemporaries would agree: if Sadler's tribute is one of the surprises about Helps, Ruskin's opinion is surely the other. Ruskin carried a high admiration for Helps's style and type of work, and he expressed this, in more or less the same form, from Stones of Venice to Fors Clavigera. This interest led to a friendship between Ruskin and Helps, who dedicated some of the essays in the second series of Friends in Council to Ruskin. The height of Ruskin's admiration, like Sadler's, is striking. He said that if you read for use, not for show, you would know the proverbs of Solomon and "by way of commentary, afford to buy, in convenient editions, Plato, Bacon, Wordsworth, Carlyle and Helps."8 This is not only an attitude to manner, to "the beautiful quiet English of Helps" to which Ruskin acknowledged a debt of clarity and simplicity.9 Ruskin saw a relationship between the lightness of Helps's touch and the provisional character of his thought. This permitted him, "mingled with an exquisitely tender and loving satire," a certain "playfulness" his wisdom was that he was satisfied to be helpful rather than decisive.

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The charm of Helps's style depends, then, on the modesty of his practical purpose and in this very restraint his usefulness lies. What you can know and teach about administration is, from this point of view, a matter of limitation and of style. The administrator is concerned with the style of doing and with expression—hence Taylor's chapter on official style; and this curbing of ambition enables such a teacher (a Taylor or Helps) to write about his subject like, in Helps's own words, "a happy combination of Machiavelli, Pascal and Dr. Watts." Taylor and Helps were both quite explicit about this. We can see how the approach is employed in Thoughts Upon Government, which was never well known, and in some of the essays in the once celebrated Friends in Council.

HIS GENERAL VIEWPOINT

The first series of Friends in Council, dedicated to Morpeth, was published in 1847, eleven years after The Statesman. The second series was published twelve years later. Thoughts Upon Government, dedicated to Lord Derby (so Helps had honoured both parties), was published late in Helps's life, in 1872. It is merely mentioned as tenth in the list of his "other works" in the D.N.B. entry. A second series was intended12 but never appeared. Two things immediately strike the reader of this first work. One is that the book is far more successful when Helps abides by his manner of giving discrete pieces of advice from office experience than when he attempts much The second is that, beyond the wider abstractions on government. aphorisms and the occasional pictures of the Service of his time, there is a general view which gives some coherence to the whole. This view, like Taylor's, is Burkean rather than utilitarian, but it is Burke with some difference. Helps wanted a degree of governmental intervention and he is wary of economy which may easily (in public salaries, abolition of offices and the supervision of financial detail) be false: the State should be the best employer. He was a paternalist. The danger was too little, not too much, government: lazy officials, the fear of ridicule and the operation of special interests all contributed to this. His belief in the limited possibility of successfully intended action at any one moment made him sceptical of planning reform beyond the point of specific improvements: he may not have been happy with things as they were but he did not expect much change; he was something less than a social engineer. Still he saw public administration as a force in opposition to what he called "vulgarity," the representation of interests; if the extent of its schemes at any one time were limited, the possible fields of public action were many, and his enumeration of them was quite modern. He was probably nearer to a perception of the Fabian argument about social cost—the common sense of municipal trading—than he was to accepting the Victorian reliance on the doctrine of caveat emptor. difference may be that we think of special interests as applicants for governmental assistance, as much as the reverse, and we cannot be sure of the efficacy of ridicule which, he wrote, "will not allow governmental interference in small matters, even though it might be justified by very good reasons derived from general principles."

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His paternalism was not wholly conventional for its time. When he was conventional it was often in good company and to amusing ends. Like Disraeli, he thought that by the 1870s all the political problems had been solved. In a wonderful and only half-consciously typical picture of the individual citizen who, having read his newspaper, sits back in his railway carriage to discuss Army reform, he gives us a beautiful insight into what the conventional actually was. ¹⁴ But the fact is that his criticisms of individualism, in *Thoughts Upon Government* at any rate, came probably just a little too late after Mill and Stephen, or a little too soon before the 1880s to gain the attention they may have deserved.

Helps was, too, a stranger to his time in being prepared to criticize the responsible ministerial department. The important thing was his understanding of the fact that relations between officials and politicians constituted a full-scale problem, with the motives of the legislature, the costs of the full panoply of answerability, the paradoxical relations of officials to Ministers and the comparative advantages of the conditions of administration in private business. Dealing with the excesses of responsibility in his practical way, he begins, "In the first place there is not time enough in the world for it. Wretched would be the pair above all names of wretchedness, as Dr. Johnson well says, 'who should be doomed to adjust by reason every morning all the minute details of a domestic day.' "15 He illumines this problem from his own experience, as elsewhere he illumines from public health administration the problem of central-local relations with its balance of local familiarity and prejudice as against central knowledge.

Sometimes Helps ventures on a defence if not a criticism. He is better still in dealing out advice on how to come to terms successfully with the conditions of public administration as they were. Between these two points of observation and prescription his best work swings. Ministers, he thinks, tend to ignore office administration, but they suffer from want of time. This is worsened for them by the pressure not so much of great matters as of small business and by the growth, since Pitt's time, of parliamentary questions. They might then do well to use some neglect and they may do better to engage some counsellors in the departments. But departments were less able to employ good men than was, for instance, the press. The pressure was worsened by the ample and hasty publication of official papers and by the extent of Treasury control. The attractiveness of public employment could be increased against these disadvantages by keeping some cosy offices, a fifth seat on a Board for example, as a reward for good careers, as with superannuated private secretaries of long service.

Certain themes continually reappear. If the notion were not alien to Helps, one might say that he had a general theory of administration in which time was the great problem and the recruitment, use and reward of able men and the betterment of office methods were the great demands. But while these things provoke a hundred observations Helps does not extend his argument beyond particular observations and precepts. "There is an absolute need for men." How to get them? Here Helps was in opposition to Macaulay: he did not like open competition and he did not like students in business.

He has his own notions about recruitment. He is, for example, attracted to the idea of allowing a man to choose his own immediate subordinate in certain conditions.

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Helps saw that it was a matter of getting the right man in, as well as keeping the wrong man out and that each office needed its few original minds. He saw, too, that recruitment was not the end of the matter: promotion, pay and honours needed attention too. "When, by any process of selection, you are fortunate enough to have got good men to serve you, you must take care to keep them satisfied." He felt that, difficult as the whole question was and lacking any single solution, efforts must be made to give more or less satisfactory answers and that this depended, amongst other things, upon knowing what you were looking for. Rare as such an able man was, it was the more important to define the qualities of the great organizer, his mastery of detail for example, and his avidity for fact. Helps distinguishes the argumentative from the organizing powers. He is unsure about how much can be taught and examined.¹⁸ But he agrees with Northcote and Trevelyan that the good man must not be ground down with early routine.

The provisional nature of Helps's observations allows him, often consciously, to contradict himself. One of the ways of providing thinking men in government is, he says, to use non-departmental Ministers. Elsewhere he says that non-departmental Ministers should be replaced by more departmental Ministers so as to relieve the bigger offices like Colonies and Home Affairs. The contradiction does not matter and in fact both courses have been followed. His inconsistency made him the better prophet, his empiricism the better adviser. He has, for example, a favourite story about the impact of the careful arrangement of public correspondence on a particular piece of legislation in taxation consolidation which obviously comes from his own experience. He gets a good deal out of this story by way of advice on the use of assistants and information and on the arrangement of papers.¹⁹

Helps takes details seriously, as Bacon did in his essay on Councils. The careful use of honours is one of these details. Indeed if honours are available they should be used. It is an inadequate treatment of the life of most public services to ignore this matter, and therefore a gap in public administration. Helps distinguishes two uses: for recognition and for encouragement. He argues that the expert will be able to tell which use has been implied in any particular instance. Not resting all his case on this one point he can write lightly enough about it, and he does so, telling one story and inventing, as he could do superbly, three fables and quoting another on the way.²⁰ There is no room here for the fables though they are beautifully pointed.

We may quote the story. "In George III's time there was a man who had rendered some political service to the government (political service in those days not being a thing of the highest merit), and this man wished to be allowed to drive through the park. 'No, no,' said the King, 'we cannot do that; but you may make him an Irish baron if you like'; and an Irish baron he was made."

Getting and handling able men is one thing; office methods another.

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His chapter on the conduct of business, where he uses proverbs like Bacon and a whole imaginary case like some modern writers, has as many and as good maxims as Taylor's better known pages. He deals with the limitations of abstracts, the importance of dates, the patchwork effect of the habit in public administration of employing many hands in one letter, and the art of sub-division—" this supreme effort of division and classification."21 He appreciates the role of indirect results: " nearly always the most important" of any course of action.22 The superior must understand his subordinates' characters and in designing his schemes must allow for their indolence. "The administrator can hardly ever make too much allowance for the indolence of mankind. Where his administration will fail, is in people omitting to do, from indolence, that which he supposes he has given them sufficient means and instructions for doing."23 One part of Helps's concern is to tell you what the rare able man can do to get by in his constraining situation. Another is to say something of what happens because of his rarity, for example "that the action of government chiefly consists in a series of surprises."24 Another concern is to discuss the difficulty of doing much about this, the futility of universal cures and the variety of limited but useful remedies.

Helps's experience provided him with stories and his prejudices enabled him to draw from these some maxims and proverbs, but he knew that a proverb was not an argument. "The worst, however, of proverbs is that, when you have a proverb embodying one phase of thought, you generally want an exactly opposite proverb to correct it." He employed the length and concreteness of the fable somewhat more brilliantly than the briefer and more generalized form of the aphorism. His maxims are not always exciting but they are sound. "It must be borne in mind that the words 'central authority' are 'prave 'ords,' as Fluellen would have said; but that, when you come to look at things closely, 'central authority' means four or five able men, with a staff of secretaries and clerks." He gives another warning that "occasion is not opportunity." **

Warnings are at least as frequent as encouragement but wisdom is always present if sometimes somewhat chilling. "The merits of the most eminent of the permanent civil servants are known to very few persons; which makes their position especially dependent upon the discriminating kindness of their chiefs." His concern for limitation is once again expressed: the official "will generally find, that when he goes wrong in the expression of his views, or his decisions, it is because the form of expression used has been needlessly wide." He is not always so chilling: "You will find, that almost every man who has been concerned in governing, is much more liberal as regards the payment, and the other rewards of agents, than the man who has had no experience in that direction."

His experiences and his concern to secure originating mind in organization prompted a deep interest in the problems of councils and committees. His assumptions about them are historically interesting. He speaks of the organization of a Board as of an actual committee meeting and of the Board members themselves as making up the essential working staff. Hence, he

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is against ex officio members. Like Bentham, he believes in payment for all members. He sees that when work is delegated it will be delegated to a few Board members and he thinks that this delegation should be moved about from time to time. He devises interesting standards for the classification of types of Board or Council, for selecting their uses and for managing their conduct. Since the general hostility to this sort of organization provoked by Bentham up to the modern studies of them, there have been few more useful discussions of Councils than Helps's chapter IX in the Thoughts. Helps is sure enough of his ground to allow himself a gloss on Machiavelli and Bacon. "I doubt not that the effect of weariness is one of the main elements of decision in any assemblage of men."31 Or, as he says in Friends in Council, " If we could know the number of resolutions which have been carried under the influence of mere fatigue and disgust, we should be astonished at the effect that weariness and fear of 'damnable iteration,' as Falstaff calls it, have produced."32 He also allows himself a comment on the Bible. "The well-known passage in the Bible, 'in a multitude of counsellors there is safety,' has frequently been misconstrued. It does not allude to the safety of the counsel, but of the counsellors."33

Helps speaks of the Privy Council, as Mill of the East India Company, out of experience, interest, affection and conviction. We gain some insight into its nineteenth-century administrative history as a nursing mother of future Ministries or, as Helps calls them, sub-departments, and we detect some anticipation by Helps of the later responsibilities for which the Council would come to be used as a potential reserve. Thinking of the Privy Council, Helps composes these conservative words of wide application, "Doubtless its constitution was not designed to be what it is now; but the thing has grown up to be what it is, as indeed has happened in regard to several of the most important bodies in Great Britain."34

FRIENDS IN COUNCIL

In Friends in Council, Helps had had similar interests to those later expressed in Thoughts upon Government. The most relevant chapters are "Government" in the first series, and "On Government" and "On the Arts of Selfadvancement" in the second series. The layout of "Government" is typical. It begins with a fable about a fable, i.e. a fable about an animal telling a fable about man. It continues with an essay by "Milverton," a public man somewhat more responsible than the lawyer "Ellesmere." It concludes with a dialogue between "Milverton" and the other characters about his essay. The essay has two brief sections on the form and the objects of government and a much longer and a much better section on the mode and means of government. It is this part of the chapter that will most interest us.

As elsewhere Helps is Burkean, paternalistic, moderate and optimistic about the British people. Milverton sees honesty as one of the conditions of official life. "I do not mean merely the common honesty of not betraying secrets and not seeking after sinister purposes—that merit official people Abbe share with bankers' clerks and the mercantile community in general, whose Infa honesty is something wonderful—but I mean the less obvious honesty of as to being careful that things should be fairly considered and that right should prefe be done."35 The danger is simply that government does not play the role it ought to. "It is the same in dealing with public as with private agents. If you look too sharply after them, they will endeavour to escape your blame rather than to do your business."36

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What is said about mode and means is also very much like what Helps said later. The emphasis is already on getting and using men: find them and This is not mere rough anticipation of his later writings, however. Helps's words here, about the recruitment of ability, seem to me to be his best statement and indeed one of the best statements that have been written on the whole problem. "Incomparably the first means is the procurement of able men; not tools, but men. It is very hard to prophesy of any business or affair in the world, how it will turn out; but it cannot be a bad thing to have an able man to deal with it. . . . But the difficulty is to find able men. To hear some persons talk, you would suppose that it was the simplest thing imaginable to make good appointments, and that it needed nothing but honesty on the part of the person appointing. But sound men of business are very rare, much more rare than anybody would be likely to conjecture who had not had considerable experience of life. And what makes the difficulty greater is, that the faculty for business is seldom to be ascertained by any a priori test. Formal examinations of all kinds fail.

"For look what it is that you demand in a man of business! Talents for the particular business, the art of bringing out those talents before the eyes of men, temper to deal with men, inventiveness together with prudence and, in addition to many other moral qualities, that of moral courage, which I have remarked to be the rarest gift of all.

"As it is, very many men fail from a want of proportion in their gifts. . . . Many of these defects are not fully ascertained until the man is absolutely tried (Capax imperii nisi imperasset). . . . On the other hand, there are men whose talents for governing are not developed until they are placed in power, like the palm branches which spring out only at the top of the tree. But still these considerations must not induce men in authority to say that since choice is so difficult, it must be left to chance or favour, but it only shows how wary statesmen should be in their choice, and that when they once do get hold of a good man, how much they should make of him."

He is very forthright, accordingly, about honours. "Next to offices comes honours as means at the disposal of government. Cant, which is the creature of civilization, and must be expected to attain a great height as civilization advances, takes many forms; and one of the forms it has taken in modern times is the pretending to despise honours, calling them baubles, tinsel, toys, trappings and other hard names. This is all nonsense. They are very valuable things, and men of clear and open minds, who are after all less ignominiously swayed by such things than other men, will tell you so. Nelson's exclamation on going into action, 'A Peerage or Westminster Abbey,' will find response in the minds of many of the worthiest amongst us. In fact it is difficult for a government so to deteriorate and degrade its honours to make them unacceptable." He is equally forthright about his preference for using paid men, "for you cannot rely on work that is given."

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Here, as later in Thoughts upon Government, Helps stressed the use of committees and councils. But here he allowed himself also to emphasize what he called "the difficulty of conjoint action."40 He has something to say of what would now be called machinery of government work. "It is obvious that in every form of government considerable attention should be paid to the distribution of functions amongst the great officers of State."4 He makes some recommendations about particular changes. Some of his notions might not now be thought of as very original (as with certain types of advisory council) or very possible (as with the creation of "a certain number of official seats in Parliament-say for the first and second office in each department").42 But his reasons for his proposals are always interesting. "There is still to my mind a want of something which I think may be noticed in all governments of modern times, and that is, a power of attracting from time to time fresh ability and fresh views, and putting the department in reasonable communication with the world about it. . . . What is wanted is to bring more intellectual power within command of the heads of departments, and moreover that this power should neither be elicited in a hostile manner, nor on the other hand that it should be too subservient. It should rather be attainable without the walls of an office than within. It should be at hand for a Minister; but it should not be too closely mixed up with ordinary official life. . . . It can hardly be doubted that it would often be an immense advantage to a Minister to be able to call in a man of known ability, conversant with the department and yet not much tied by it, to hear his opinion upon some difficult dispute (from the colonies for instance) in which both the Minister and his subordinates may be liable to err from their very knowledge of the parties."43

The essay "On Government" in the second series of Friends in Council, which contains an approving note on Hare's The Election of Representatives, and on the less famous Craik,46 is very similar to the first essay. After a short introduction the essay is again given by Milverton, who admits that he might be repeating himself,⁴⁷ and there is a concluding discourse. There are on or two historical references of some importance. Students of the development of government regulation in the nineteenth century will appreciate Helps's reference to the failure (then, after the Act of 1851, fairly fresh in his readers' minds) to solve the problems of controlling railway development and in little. particular to the work of Dalhousie.48 In 1859 it was not beside the point you i to insist on the vast demands on intelligence made by public service. It was certainly not a conventional notion and it was important that it was Helps's very sense of these demands, not any suspicion of government as such, that made him limit his expectations of what could be done. "There should be there men in office who love the State as priests love the Church."49 But Parliament was making their position difficult. Apart from reforming the parliamentary system, what could be done about this? On the one hand you could strengthen the departments. Here Helps refers again to some of his favourite devices. furth On the other hand you could reform recruitment, but this should be and the ac unfettering of the system rather than a reform on the Northcote-Trevelyan and r lines.

SIR ARTHUR HELPS AND THE ART OF ADMINISTRATION

PROVERBS AND APHORISMS

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We have noticed Helps's interest in proverbs and brief writings; this was a fashion of his times followed by Taylor. Helps could write aphorisms as well as quote them and he shows this better in Friends in Council than in Thoughts upon Government. Now in the first volume of the second series he has two chapters on proverbs. Not without interest themselves, they also serve to introduce the chapter "On the Arts of Self-Advancement." Here his sources include Napier and Thiers as well as Guicciardini, and through his lawyer character Ellesmere he has some striking things to say about self-advancement, that important part of the administrator's life, or the art of rising, as it is described elsewhere.

All this is instinct with a sense both of the urgency and also of the difficulty of the actual performance of business. It is "through the interstices of ill-contrived arrangement "50 that armies have sunk. "At last," Helps approvingly quotes Thiers "my very dreams were administrative."51 How is the work to be done? Helps and his authorities agree in warnings against that current dogma, the man with the clean desk. "Take almost anything that is offered to you,"52 says Helps, or Ellesmere. You need be concerned not lest your agents are unfaithful, but lest they neglect your business.58 The advancement of affairs and of your own career both demand that you must do much yourself. Do not then be too delicate. "This earth is not for They cannot expect to get anything in the scuffle that is the refined. going on. You all remember the well-known story of Lord Thurlow; how, whenever a bishopric was vacant, he always said to the King, 'Please, your Majesty, I have a brother,' until at last George III (a man not without persistency himself) was tired of hearing this cuckoo exclamation from his Chancellor, and gave a bishopric to the brother. Again, in business it often happens that a man is too delicate to ask a question, which ought to be asked, which he longs to ask: and his not asking this question is forever a detriment to him—perhaps, his ruin."54 And do not lay your plans on too large a scale. There is another reason for this. Helps is well aware both of the limitations of foresight and of what is nowadays called the unanticipated consequences. ent "Do not suppose that anything will turn out rightly. Never believe in ps's estimates. . . . It is best to begin with a little aversion, not only in marriage, but in all other affairs that are to endure for a long time."55 "Attempt in little. . . . Avoid delicacy," and do not expect too much of others. "When oint you have, therefore, to act with other men, calculate on their vanity being inordinate, on their weariness and forgetfulness being very great, and on their ps's placability being excessive."56

Through Ellesmere, Helps is ready to be at his least conventional and therefore at his most illuminating. "Those who wish for self-advancement nent should remember, that the art in life is not so much to do a thing well, as tary to get a thing that has been moderately well done largely talked about."57 hen "Be modest in speech about your merits, but not in demands that may ices. further your fortunes."58 He is prepared to say what Bagehot says about an the administrator in his essay on Peel, 50 that he must be somewhat superficial lyan and near-sighted. Industry and promptness are required for success. One condition for such qualities is "a certain limitation of view . . . and a

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certain joyous superficiality of character."60 Bagehot and Helps are in the closest of agreement here. "Human affairs are provided for from day to day. The man who sees too widely is nearly sure to be indecisive, or to appear so. Hence, also, comes an appearance, sometimes of shuffling, and sometimes of over-subtlety, which is very harmful to a man. . . . But the best reason for being limited in your views is that other people are limited and that you do not act in harmony with them if you are farsighted. I would not, however, speak against farsightedness, if a man who possesses it would only know on what occasions to keep it to himself."61 A second condition of industry and promptness must be that you must know when not to use these qualities for "it must be remembered that the man who studies selfadvancement judiciously, must know how to wait. There are occasions and positions in life in which every move will be a bad one. It require great self-command at such junctures to pause, and wait, especially for an energetic man who is used to action. But he must learn the wisdom of doing nothing."62

Ellesmere comes close to a definition of the central issue in organization "But the difficulty of difficulties and the thing that requires an imaginative supervision, is the joining of different kinds of work together so that no time or substance be lost." Helps understands the burden of action. He sees this as creating demands for intelligence and for able men. This is a problem in the public life of a country. He has noticed that the overenforcement of responsibility, as with a high degree of Parliamentary interference, enhances this problem by pressing on the limited time available and giving voice to the forces of vulgarity, ridicule and special interest.

This tension between rare men and limited time is part of the condition of administrative life. It follows that within these conditions we must see to get and keep able men as far as possible. It will not be very far and many devices will have to be used. "Let the world think what it may, there are but few men who are endowed with great aptitude for managing public business, or indeed business of any kind. And the whole of my argument merely tend to this, that every opportunity should be given for the change even of finding such men."64 We must recognize just what we mean by the able man in administration, and we must perceive that an understanding of the delicate details of honours, for example, may be as productive as an attempt at single-minded reform of recruitment. How is the able man to conduct his career within these limiting conditions? Something can be done, Helps believes, to advise him about his predicament provided he i "judicious" enough to realize that "One maxim is good now, another maxim good then; and the 'now' and the 'then' come within the undescribed—perhaps undescribable—province of common sense."65 Th man will have his talent. Ellesmere distinguishes the qualities of the man the modes of action and the arts of self-advancement. He must, then, us his qualities in part in these modes of action (for example in the use committees) and in part in the business of rising.

Helps does not expect any radical changes in the conditions themselve within which administration must occur. His observations about the

SIR ARTHUR HELPS AND THE ART OF ADMINISTRATION

conditions are not without sufficient institutional description to be of some interest in their own right. But, like Taylor, he does not attempt to formulate a science or a complete doctrine. He is not worried by contradiction. He is not preaching to the people. His role is advisory, not exhortatory. A man must know how to pick among his notes the appropriate precept for the moment. It is precisely to officials who have the qualities to do this that Helps's writing is addressed.

REFERENCES

In the following notes the three works of Sir Arthur Helps are abbreviated as follows F.C.1-Friends in Council (First Series), 1847; F.C.2-Friends in Council (Second Series), 1859; T.G.-Thoughts upon Government, 1872.

1Cf. Wilfrid Harrison, Sir Henry Taylor and The Statesman, Public Administration, v. xxx, 1952, pp. 61-70; Leo Silberman, ed., The Statesman, by Henry Taylor, Cambridge, 1957.

2Rt. Hon. Sir Algernon West, Recollections, London, 1899, 2 vols.

3F. Smith, Sir James Kay-Shuttleworth, London, 1923, p. ix.

Leslie Stephen, Life of Sir James Fitzjames Stephen, London, 1895, pp. 100 and 175.

⁵H. Preston-Thomas, The Work and Play of a Government Inspector, London, 1909 pp. 10, 12, 19, etc.

⁶Lord Edmund Fitzmaurice, The Life of Lord Granville, London, 1905, vol. ii, pp. 426-7 and 428-9.

Preston-Thomas, op. cit., p. 6.

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Stones of Venice, op. cit., vol. xi, p. 153.

10 Modern Painters, loc. cit., pp. 427-8.

**T.G., p. 61. 1°T.G., p. 79. 18°T.G., p. 10°T.G., p. 20°T.G., p. 210. 18°T.G., p. 20°T.G., p. 20°T.G. ⁵³F.C.2, p. 240. ⁵³F.C.2, p. 249.

⁵⁹Works, ed. Forrest Morgan, Hartford, 1891, vol. iii, p. 22, esp., "So the brain of the great administrator is naturally occupied with the details of the day, the passing a be dust, the granules of that day's life; and his unforeseeing temperament turns away uninterested from reaching speculations, from vague thought, and from extensive and the far-off plans." Bagehot's essay was first published in 1856.

60F.C.2, loc. cit., pp. 246 and 248.

61F.C.2, pp. 246-7.

62F.C.2, p. 248.

68F.C.2, p. 241.

64F.C.2, vol. ii, p. 190.

65F.C.2, vol. i, p. 248.

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Cost Accounting in British Government

By S. A. WALKLAND and I. HICKS

Mr S. A. Walkland is Lecturer in Political Theory and Institutions and Mr I. Hicks is Lecturer in Accountancy in the University of Sheffield.

IN criticizing the existing scheme of appropriating Parliamentary grants it must be borne in mind that the control of expenditure in the sense of securing that the various public services are efficiently administered at a reasonable cost was no part of the object which the framers of the system had in view."*

The pertinence of the above quotation becomes manifest when governmental financial administration and control is contrasted with financial administration and control in the private sector. There, management is free to employ the resources at its disposal as efficiently as possible, making use of all the techniques of modern management accounting to achieve its objectives. Departments, on the other hand, are required primarily to take cognizance of legal authorization and Treasury and Parliamentary precepts in their day-to-day management of funds. It is admitted that in the case of Departmental Accounting Officers it is important that there should be some identification of financial with administrative responsibility, but this has never extended to the point where there is a constant interrelation at all administrative levels, as is usual in a system of budgetary control in a commercial enterprise, nor has it usually been thought necessary to identify expenditure with a cost unit.

The difference between commercial and governmental systems of financial control is also manifested in the quality of accounting information employed. Thus modern commercial accounting is on the accruals basis and lays much emphasis on the distinction between capital and revenue, whilst most Government accounting systems rely upon the simple cash receipts and payments basis of accounting, which restricts the main Departmental records to cash actually received or paid out in a financial year. Appropriation Accounts on a cash basis as provided for by Section 24 of the Exchequer and Audit Department Act, are, in the words of the Committee on the Form of Government Accounts (1950) "a record of stewardship" in the strictest sense, and other functions of accounts, such as the provision of adequate information for the guidance of management and for the formulation of policy have been subordinated to that of ensuring exact accountability for the disbursement of funds. Apart from the trading and manufacturing services of government, where, since 1921, commercial accounts on income and expenditure principles have been statutorily obligatory, precision in accounting for most Government expenditure on the Supply Services is obtained only

^{*}Seventh Report of the Select Committee on National Expenditure (1918), Appendix 9. Statement by Sir John Bradbury, Joint Permanent Secretary to the Treasury.

at the expense of concealed discrepancies, of varying magnitudes, between cash cost as disclosed in the accounts and the "true" or economic cost of particular operations.

The defects of such accounts for internal control purposes and for providing reliable information of a more general nature for the purposes of higher financial authorities and the House of Commons frequently arouse comment. Notably the Estimates Committee in the course of its investigations into particular Government operations stimulates the abstraction by the Treasury and Departmental Finance Branches of more reliable financial information than the inadequate data relayed by the present form of Parliamentary Estimate and Account, and on a number of occasions has discovered that the traditional basis of the main Departmental records serves to inhibit cost-consciousness in both Departments and Treasury.*

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Apart from the need to preserve strict Parliamentary accountability, opposition to the employment of more sophisticated accounting techniques has usually been on the ground of accounting convenience in the Departments, allied to the fact that in Departments providing mainly administrative services, where the main expenditure is automatic salary payments, cost control to secure operational efficiency is inappropriate, and best replaced by O. & M. techniques. Moreover, in such Departments, accounts and accounting statistics are of little use as guides to policy since administrative costs are usually only a minor factor in determining levels of activity.

THE SEVENTH REPORT OF THE NATIONAL EXPENDITURE COMMITTEE, 1918 However, it has been felt that in some areas of expenditure a change in the accounting basis from cash accounting to commercial principles might not only develop more realistic data for the guidance of the Treasury and the House of Commons but might also be instrumental in promoting a stronger realization of the possibilities of management accounting in Departments. The most drastic recommendations for changes in traditional methods of control of expenditure on the Supply Services are those contained in the proposals of the National Expenditure Committee of 1918, which was established to assert a measure of Parliamentary supervision over Government expenditure in World War I. The Committee conceived its primary task to be an overhaul of the system of Government accounting and financial control which had arisen on the basis of the Exchequer and Audit Departments Act, and seized the opportunity presented by the breach of continuity in the traditional system of Parliamentary appropriation and accounting during wartime to suggest, in its Seventh Report of 1918, changes in methods broadly designed to replace the cash basis of accounting by the income and expenditure basis. The main purpose of the recommended changes was the presentation of Estimates and Accounts to Parliament setting out the whole of the expenditure entailed by the operations of the Department concerned, so as to take account of accruals, inter-Departmental services and adjustments for increases or decreases of stocks in such a manner as to exhibit the true cost of a particular service in a financial year. In addition, expenditure

^{*}See, for example, Eighth Report of the Select Committee on Estimates (1953-54), para. 57; Third Report (1957-58), Evidence: Qs. 209-242.

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incurred in connection with each administrative or economic unit in a Department was to be shown in such a way "as to enable both the financial officers of the Department and the House of Commons to see clearly the cost of the unit and to institute such comparisons either with the expenditure of previous years or with the results obtained elsewhere as will facilitate the work of control." In arriving at its recommendations the Committee was greatly influenced by specimen Army Estimates and Accounts prepared by Sir Charles Harris, the Assistant Financial Secretary to the War Office, on this new basis, the main principles of which were embodied by the Committee in a series of recommendations as follows:

(a) "The estimated expenditure of the year, as shown in the Estimates, and the actual expenditure as disclosed in the accounts, should be on a basis of income and expenditure representing the actual cost of services rendered and stores, &c., supplied for the service of the year.

(b) The accounts of all Departments should comprise their total expenditure, including the services rendered by other public Departments, e.g. the Post Office, the Office of Works, the Stationery Office, the rental value of Government-owned buildings occupied, pensions paid and pension liability in respect of pensionable servants.

(c) The Estimates and Accounts should be grouped both in their general scope and also in their details to show the objects rather than the subjects of expenditure, and with carefully chosen units of cost.

(d) That as far as possible there should be one comprehensive series of accounts only for each service of the State—prepared in such a manner as to provide in all their stages—Sectional, Departmental, extra-Departmental and Parliamentary—a control by means of units of cost of which effective use should be made by comparison of similar units under like conditions, both inside the Department concerned, and with other Departments of State."*

The Committee, while conceding that in some Departments units of cost might prove difficult to define, recommended the immediate adoption of the new form of account by the Army and its acceptance as widely as possible over the field of Departmental accounting. Largely owing to the scepticism of the Treasury, practical application of the recommendations was limited to the experimental change in the system of accounting and financial control in the Army which was put in hand by the War Office and Treasury in 1919, and since this is the only instance of a complete "commercialising" of the accounting structure of a Department of State the progress of the experiment will bear examination in some detail.

THE ARMY COST ACCOUNTING EXPERIMENT, 1919-26

The change in the Army accounting system was made as from 1st April 1919, and established in the Army a set of accounts on commercial income and expenditure principles with the ultimate aim of arriving at the true annual cost of each Army Unit and establishment, in detail and under all items, cash and accrued receipts and payments, services rendered and received, capital

^{*}Seventh Report of the Committee on National Expenditure, 1918, para. 42.

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charges, &c. A new Army Corps of Military Accountants was raised, and draft accounts for different Army branches at home and abroad were opened at various dates throughout 1919 and 1920, and when complete were intended to form an interlocking double-entry system throughout fifteen hundred or so Army Units, by raising a money credit in one local account to correspond with an identical debit in the account of another Unit for every transaction of any nature between them.

In the minds of its sponsors this accounting structure had a dual function. For the purpose of internal financial control it entailed a decentralized system of administration in the Army which would allow discretion in local expenditure to individual Army Unit Commanders within relatively broad limits defined by the War Office and Treasury. Some qualified managerial freedom had been allowed to a few Army establishments by individual block sub-heads in the previous form of Army account, but the reconstruction necessary to convert the cost account of each Army Unit into an index of economical administration at the local level required a general transfer of substantial responsibility for the control of day-to-day expenditure to officers on the spot. The devolution necessitated a drastic simplification of detailed Parliamentary appropriation of Army expenditure, which was brought about by a new and simplified form of Army Estimate and Appropriation Account, and ultimately involved a re-organization of the various War Office Directorates, the agencies of central financial direction in the Army, whose comptrolling duties were organized on a basis of "subject-matter" of Army expenditure, and to which the main Vote headings of the old form of Army Appropriation Account corresponded. Also involved was the relaxation of the rigid system of Army Regulations and Royal Warrants which governed automatic entitlements to many grants and allowances, and some rates of Army pay, and which formed much of the detailed framework of central control from which the reformers were anxious to be freed.

This managerial freedom of local Army Commanders, with its inducement to internal economy, was to be matched by close Parliamentary supervision of Army expenditure on the basis of a detailed annual statement of the full cost of Army operations. For this purpose the local Unit statements worked up via the accounts of the Army Commands to a new form of Parliamentary Account. Instead of the fifteen subjective Votes and two hundred and fifty sub-heads to which aggregate expenditures on Army pay, matérièl and equipment were charged under the superseded form of Appropriation Account, the new statement presented Army expenditure under seven objective heads: (1) Standing Army; (2) Territorial and Reserve Forces; (3) Educational and Technical Establishments; (4) War Office and staff of Army Commands; (5) Capital Charges (i.e. new buildings, stores, factory plant, &c.); (6) Miscellaneous; (7) Non-effective charges (pensions and retired pay). These in turn were broken down into thirty-six sub-divisions, in which details of expenditure were presented in terms of standard cost units wherever appropriate, and by locality, to allow for comparison. The unit of cost chosen were various: for example, for troops, cost per military unit of fixed size, i.e. Regiment or Battery. Where size was not constant, per capital cost was taken. For working expense accounts, appropriate criteria were and

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employed—military hospitals, cost per day per occupied bed; store and supply depots, cost per ton handled; electricity supply stations, cost per B.T.U. of output; remount farms, cost per day per horse. This analysis was intended to provide Parliament, in the words of the National Expenditure Committee, with "the facilities needed for effective criticism, not by the massing of infinite details for the expert, but by the attainment on broad lines of results which can readily be appreciated."

The experiment covered the financial years 1919-20 to 1925-26, a comparatively short period considering the extent of the change. The immense task of capitalizing Army stores and fixed assets, for example, progressed very slowly, only five per cent. of a conjectural total of £103,000,000 having been valued by 1925, and many capital items in the early accounts were assumed. By the end of 1922 the new system had been developed to the stage where the various Army Commands were accounting on broad commercial lines, and the local Unit cost accounts had been articulated to the point where further development of the scheme depended upon the attitude of the Army Council towards the decentralization of administrative responsibility in the Army.

Late in 1922 the Army Council and War Office instituted two inquiries into the administrative implications of the new accounts. A Committee of inquiry into "The administration of, and accounting for, Army expenditure" was appointed by the Secretary of State for War under the chairmanship of General Sir Herbert Lawrence. A majority of the members were known for their sympathy with the new principles, and it is not surprising that the Report (Cmnd. 2073, 1924) sweepingly condemned existing War Office and Treasury arrangements for the central direction of Army expenditure, and advocated a devolution of financial control as far as individual establishments and Regimental Units, to bring about "a consummation between administration and accounts." On the other hand, a Departmental inquiry instituted simultaneously by the War Office, under the direction of the Deputy Under-Secretary of State, arrived at distinctly unfavourable conclusions, which were based on a fairly exhaustive examination of the practical working of the new accounts in a large number of Army Units. The War Office committee took as its premise the fact that an homogeneous Army required a large percentage of standard expenditure, and considered it unlikely that sufficient economies could be realized within the range of freedom remaining to Regimental Commanders to cover the expense of maintaining the cost accounts of the Units, especially as " no considerable use is made of their accounts by Commanding Officers of combatant Units even so far as the few items of controllable expenditure are concerned." The committee doubted "whether in actual practice the regimental officer obtains any valuable training in accounting and economical administration through his business with his local Unit account" and went on to criticize the entire principle of unselective costing as applied to Army operations. "As regards any use of the cost accounts by higher administrative or financial authorities it is to be observed that even in Units of the same arm, which at first sight appear to be comparable the conditions differ very widely; for example, in the case of infantry battalions, the intake of recruits, the strength of the Unit, its location, the proportion of men qualified for proficiency pay, the recent return or impending departure for foreign service, &c., affect the expenditure to such an extent that a number of reservations must be made before cost results can fairly be compared, and even then comparisons would be of doubtful value."*

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Faced with a conflict of opinion the Army Council refused to carry through the necessary administrative decentralization unless it could be assured of "positive advantages both in efficiency and cost," and the incompleteness of the system and the partisan character of the views which it provoked hindered an objective assessment of these in 1924. The fact that the experiment was caught up in the aftermath of Army expenditure in the 1914-18 war confused the picture further, as did the economy cuts imposed in the Defence Departments to implement the recommendations of the Geddes Committee on National Expenditure. Without measurable advantages to offset against it the additional cost of the new system in a period of general retrenchment was an additional factor in putting it on the defensive.

The results of the experiment for Parliamentary control of Army expenditure were more definite but still ambiguous. The Select Committee on Public Accounts had the Army Appropriation Account on the new basis and the Auditor General's Reports before it for five years, without expressing any final opinion on the change of system. As the accounts developed the Committee's main concern was with the unreliable nature of many capital items, due to lack of progress in valuing Army stores and fixed assets. In 1921 it commented that such figures often required "broad and sometimes rough adjustments" and because of this, admitted difficulty in assessing the value of the cost accounts. Whilst the accounts were in the embryonic stage the main Parliamentary audit was based on a record of cash receipts and payments, which in the absence of a general change in governmental accounting was maintained side by side with the new cost accounts to avoid an amendment of the Exchequer and Audit Department Act. An extra-statutory audit was progressively developed, however, along the lines of an examination of comparative costs, and the high point of the Public Accounts Committee's enthusiasm came in 1922, after the first full Report of the Auditor General, when the Committee remarked that "it is only by means of the new accounts that we are able to learn that Army expenditure in Mesopotamia in 1920-21 cost £37,000,000; that recruiting cost much more per recruit than in the year before; that regimental tailoring and boot repairing shops were in certain cases much too expensive for the work done; that a student officer of the Staff College, Camberley, costs the country £1,393." It added that the new form of account might prove "a valuable, and indeed, essential instrument for control and economy," and that "until more complete experience has been gained, there can be no question of departing from the main principles on which it is based."†

Later Reports and evidence of the Comptroller and Auditor General tended, however, to confirm the view arrived at independently by the War Office,

^{*}Report of the Crosland Committee (1924), para. 23. The report was not published and the War Office were reluctant to show a copy to the Public Accounts Committee preferring to quote lengthy extracts from which this quotation is taken. See Minutes of Evidence, Second Report of the Select Committee on Public Accounts (1925).

[†]Third Report of the Select Committee on Public Accounts (1922), para. 58.

and to emphasize the limitations rather than the possibilities of cost accounting in the sphere of Army administration. The Auditor General's Report for 1924, for example, showed that of a sum of £500,000 spent on the account of Mechanical Transport Companies more than half represented the cost of maintaining the military potential of the Units and not the cost of actual services rendered, making comparison with costs in the civil sector impossible. There were similar difficulties in comparing military hospital with civil hospital costs when Army policy required separate hospital treatment for different ranks and a large reserve accommodation. The general point was also made that depreciation of equipment for military purposes seldom corresponded with depreciation in monetary terms. In its Report for 1924 the Committee was emphasizing that "the answer to many of the inquiries raised by the cost accounts must depend, not on considerations which can be measured in terms of money or financial units, but on general considerations of military policy to which accounting must be subordinate."*

In 1925 the Army Council announced its decision to abandon the income and expenditure accounts and to revert to cash accounting. The War Office, Treasury and the Comptroller and Auditor General were unanimous in evidence to the Public Accounts Committee in 1925 that the savings to date had not approached the extra cost of the new accounts, and that even with a fully developed system "the factor of military efficiency was not susceptible either in general or in detail of being represented in money terms." As the Treasury put the matter, "There is this fundamental difference between Army expenditure and commercial expenditure; the first has as its object the production of an efficient Army—the second usually has as its object the production of commodities in concrete form readily capable of valuation."† Agreement was reached between the Treasury and the Public Accounts Committee on a scheme of selective costing of the 25 per cent. of Army expenditure which the Treasury thought susceptible in principle of this type of measurement—on bakeries, clothing factories, electricity and pumping stations, &c., after which the Committee acquiesced in the decision to abandon the interlocking accounts without protest, confining itself to recommending that "all possible means should be taken to interest commanders of local Units in economy." The decision attracted some opposition, from Sir Charles Harris and elements of the accountancy profession.

The War Office and Treasury have subsequently been accused of antipathy towards the cost accounting scheme, a view which the chronology of events in detail tends to bear out, and there can be little doubt that its rejection was premature and not entirely on its merits. It is impossible to assess the results which might have been obtained by a completed combination of cost accounting and decentralized financial control in the Army in course of time, but the limited evidence available points to the general inapplicability

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^{*}Second Report (1924).

[†]Report of the Treasury Officers of Accounts to the Lords Commissioners of the Treasury, 16th July 1925, published as Appendix to Second Report of the Select Committee on Public Accounts (1925).

See H.C. Debates, 21st June 1947, 902.

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of a scheme of commercial accounting and management for a large Department of State, and particularly to the deficiencies of accounts in themselves for providing a quantified measure of administrative performance. As Sir Eric Bamford of the Treasury told the Select Committee on Estimates in 1947, in the course of an allied inquiry into the form of the Parliamentary Estimates, "comparisons were obtained at great expense which proved useless for any purpose other than general interest"; the entire experiment in the view of the Treasury being "very much overdone." Its legacy was an enhanced appreciation of selective cost accounting in the Army, and summarized cost statements of a number of Army operations were made available annually to the House of Commons after the end of the experiment in 1926.

THE CRICK REPORT

The Hoover Commission on the Organization of the Executive Branch of the U.S. Government made far-reaching proposals in 1949 for the conversion of the budgeting and accounting system of the U.S. Government along lines broadly similar to those recommended by the National Expenditure Committee in 1918. The comparable British post-war development has been the comprehensive review by the small Treasury Committee on the Form of Government Accounts appointed in 1947 and reporting in 1950 (Cmnd. 7969). The Committee consisted of representatives of Departmental Finance Branches and the Exchequer and Audit Department, and included two prominent members of the accountancy profession. Treasury representation was limited to one member, and the chairman, Mr. W. F. Crick (then General Manager for Research of the Midland Bank and formerly Economic Adviser to that bank), was uncommitted to either professional or official views. The Committee's order of reference was more narrowly technical than that of the 1918 Parliamentary inquiry, directing it to examine existing systems of accounting in Departments, and to recommend improvements both to preserve effective Parliamentary control of expenditure and to provide adequate information for the management of Departments. It was specifically directed to assume the continuance of Parliamentary accounting, but subject to this qualification to examine the desirability of introducing a system of account on commercial income and expenditure principles where this did not already exist.

In contrast with the 1918 investigation, whose recommendations rested largely on abstract accounting theory, the Crick Committee adopted an empirical and cautious approach, and established its conservative attitude by construing the requirement to assume the continuance of Parliamentary accounting to mean that precise accountability for expenditure should continue to be enforced by a Parliamentary audit of cash receipts and payments, which precluded the Committee from recommending any change involving the amendment of Section 24 of the Exchequer and Audit Department Act. The Committee noted, however, that this need not prevent wide variations from the present form of the Appropriation Accounts and cited the form adopted for the Army Votes between 1919 and 1926 to demonstrate what was possible with an income and expenditure system of account where only the cash transactions received the statutory certificate

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of the Auditor General. Beyond the accountability function of the Appropriation Accounts, which the Committee was anxious to preserve unimpaired, the Committee stressed that Departmental records should enable Departmental officers and the Treasury to judge whether a service is being provided at minimum cost, and should also provide information for the formulation of policy. In contrast with the attempt by the Committee on National Expenditure to devise "an ideal single form of account," the Crick Committee doubted whether any one set of records could meet all the demands that could be made upon it.

The question of introducing income and expenditure accounting was considered to be the "crucial issue," and this was the point on which professional accounting witnesses concentrated.* The test which the Committee sought to apply was whether any practical benefit would result from the adoption of this basis which was not obtainable equally readily from accounts prepared on the existing cash basis, with or without modifications. It heard representations in favour of income and expenditure accounting on a variety of related grounds:

- (a) that more effective control over expenditure on and consumption of Departmental stores would be gained, since all store transactions would have to be recorded not only by volume, as is the current general practice, but by value;
- (b) that by requiring the separation of transactions on capital account from those included in a revenue account the income and expenditure basis would enable accounting provision to be made for the depreciation and replenishment of fixed assets;
- (c) that the basis would provide a record of assets and liabilities.

The Committee agreed in principle with these general propositions, but in each case found sufficient differences between the relative positions of Government and commerce, particularly in the case of the capitalization of some categories of Government assets, to reject the arguments in favour of a general change of system, and to conclude firmly that in respect of the administrative services of Government (a description which the Committee calculated to cover 130 of the 143 Civil and Revenue Votes in the 1949-50 Estimates, accounting for 72 per cent. of the total net outlay for that year) no practical advantage was to be secured from a change of system, since in connection with such services there was little or no income, the main expenditure was on salaries, and levels of performance were fixed from year to year by considerations of policy. Instead of a change of basis the Committee recommended that the Appropriation Accounts should be supplemented by statements showing the current assets, including certain stocks, and liabilities of Departments at the end of the financial year, and the increase or decrease during the year; and that the Parliamentary Estimates and Accounts should be made more informative by presenting capital and current expenditure in separate subheads.

*The evidence given before the Committee was not published, but the main lines of some of it are available elsewhere. See Memorandum of the Institute of Chartered Accountants in England and Wales, The Accountant, 22nd July 1950.

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The attitude of the Committee to management accounting followed from what it believed to be fundamental differences in purpose between most governmental activities and commercial operations. Claims similar to those on which the 1918 inquiry based its recommendations were put by witnesses in support of income and expenditure accounting-that a general change would enable cost accounting systems to be more widely introduced in Departments as an aid to financial control. The Committee on the other hand claimed that satisfactory standards of comparison essential to cost accounting could not be found for administrative services, and in point of the relative lack of continuity and evenness in Government operations generally, and the different, often uneconomic tests of success, ought, when found, to be accepted with reservations even in the spheres of Government trading and manufacturing. Its recommendations were confined to suggesting that ad hoc costing should be extended "to the full limits of its usefulness" whenever reliable standards could be found, and with the Army experiment in mind issued a warning against initiating "a widespread system of cost accounting which must at many points be inappropriate and unnecessary."

Beyond stating that in some Departments providing administrative services cost control is replaced by statistical methods of control, the Crick Committee gave only a slight indication of where costing is in fact used, but two recent Reports tend to support its conclusions. The Air Ministry has stated that after what it describes as "a period of cautious assessment" a cost accounting scheme extended after 1945 from particular Units and activities to two R.A.F. Commands to test its value in planning policy has been abandoned. On a lesser scale it encountered the same limitations as the earlier Army scheme, since it proved "very seldom possible to draw deductions from the comparative costing of different Units and stations which could not have been drawn on common sense grounds in the ordinary course of administration."* The Directorate-General of Works in the Ministry of Works has also recently reported† that the varied nature of its activities and differences in standards of performance make it impossible to draw useful conclusions from comparing costs with those of similar operations in the civil sector, even when organizations undertaking work broadly comparable to its own can be found, and dependence has been placed on internal O. & M. checks and a high level of professional competence to ensure economy in operations.

The Crick Committee buttressed its main conclusions with a great deal of persuasive evidence, and the inquiry will probably prevent further serious proposals to convert the entire governmental accounting system to commercial principles. Working within the existing system, however, the post-war Estimates Committee has been able to suggest improvements in both the type and quality of the financial information available to Departments, the Treasury and the House of Commons. For the purposes of Parliamentary control, through the medium of the Estimates Committee itself, numerous financial statements of the cost of particular services have been obtained from the Departments or the Treasury. Whether these have shown full cost on

^{*}Eighth Report of the Select Committee on Estimates (1953-54), Appendix 8. †Fifth Report of the Select Committee on Estimates (1955-56), Appendix 4.

COST ACCOUNTING IN BRITISH GOVERNMENT

income and expenditure principles or have merely been analyses of the cash accounts has depended upon the service to which they relate.* Differences in fundamental purpose between governmental and commercial activities, from which the Crick Committee derived most of its arguments, has not prevented the Estimates Committee from requesting that Departmental records be kept in a way which reveals to the House of Commons the full cost of particular policies, by a change to an income and expenditure basis for particular Estimates and Accounts.† To aid Departmental or Treasury control the Committee has supported the preparation of Estimates on an income and expenditure basis for a service of such a nature that the cash basis resulted in a considerable distortion of the financial position, and has vigorously recommended the costing by Finance Branches or by the Treasury of operations ranging in importance from hostels run by Departments to the maintenance of the Reserve Fleet. § The Committee has also supported the devolution of financial control where more economical handling of expenditure was likely to be achieved.** As the Committee on the Form of Government Accounts indicated in the concluding paragraphs of its Report, piecemeal adaptations along such lines are likely to provide a more realistic pattern of development in the control of Government expenditure than a once for all" transformation of either Departmental accounting or administrative methods.

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^{*}Sec, e.g., Fourth Report of the Select Committee on Estimates (1946-47). Appendix on Medical Services expenditure in the Defence Estimates,

[†]Second Report (1955-56).

[‡]Fifth Report (1955-56).

[§]Tenth Report (1948-49) and Third Report (1957-58).

^{**}See, e.g., Eleventh Report (1950-51).

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Cases and Case Study: American and British

By F. M. G. WILLSON

Mr Willson reviews the cases recently published in the American Inter-University Programme and draws upon his experience in the preparation of British case studies to comment on the possible aims and techniques.

THE first mention in this Journal of the idea and the problems of administrative case study in America was made in 1951, when Harold Stein contributed an introduction to the subject. Eighteen months later, R. N. Spann devoted a review article to the achievements of the American programme as manifested in the publication of a large volume of cases, and at the same time explored the possibilities of broadly similar studies in this country. Since then there have been developments in this direction here, and the arrival of the most recent batch of American studies affords an opportunity to take stock of what is now a trans-Atlantic approach to the teaching and study of government.*

The present American project started in 1948, after several years of experiment at Harvard, and with the present group of cases included, the output totals nearly seventy studies which between them cover federal, state and local administration. Six of the seven now under review are cast in a well-established mould: the other—The Echo Park Controversy—is only the second of a new series, using the same techniques as the rest, but aimed particularly at "the examination of some of the decisions and procedures that significantly affect the development, conservation, and use of natural resources." This case is the successor to a brilliant account by Roscoe Martin of the establishment of a paper mill in Tennessee by the Bowater Organization, which was published in 1956 with the title From Forest to Front Page.

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RECENT AMERICAN CASES

The American case studies are narratives. Each tells a story, in as much detail and in as detached a manner as possible. The authors rarely add any comment—in this group only Kaufman's study of the long, unfinished tussle over the distribution of authority between different levels in the Public Health service in New York City has a concluding passage drawing attention

*The studies under review are: The New York City Health Centers, by Herbert Kaufman, No. 9 (Revised, 1959); Commuters vs. the Black Ball Line: Washington Purchases the Puget Sound Ferries, by William J. Gore and Evelyn Shipman, No. 42; The Mayor and the Fire Chief: the Fight over Integrating the Los Angeles Fire Department, by Frank P. Sherwood and Beatrice Markey, No. 43; Personnel Problems in Converting to Automation, by James R. Bell and Lynwood B. Steedman, No. 44; Moses on the Green, by John B. Keeley, No. 45; The Echo Park Controversy, by Owen Stratton and Phillip Sirotkin, No. 46; and The Reorganization of Philadelphia General Hospital, by Marianna Robinson and Corinne Silverman, No. 47. They are published by the University of Alabama Press for the Inter-University Case Programme, and are sold individually at prices ranging from \$0.25 to \$1.85. There is a scheme of annual subscription for individual students as well as for institutions.

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to the major factors involved. All are well written and are remarkably free from jargon. They are not always easy reading, however; their business is detail and the revelation through detail of the intricate processes of government. Their concern is a double one-not merely "public administration," but also "policy formation" (a doubtful dichotomy, no doubt, in strict logic, but still of some limited if imprecise use). Unlike the historian of policy, though, the case writer is not free to jettison or even to summarize too briefly episodes which have no direct bearing on the eventual result: those particular episodes may be fascinating examples of some aspects of the process of getting things done—or not getting things done! And given this all-inclusive ideal, there is an upper limit to what can be put in before the intelligibility of the narrative is threatened. People and institution multiply in the early stages of any case, and it requires no small amount of concentration and patience to familiarize oneself with the basic setting: frequent reference back has to be accepted as inevitable. No genuine studen should object to this discipline, but he can rightly object to it in too large doses. The optimum limits cannot be expressed simply in numbers of words: it will also depend on the number of people and interests and organizations involved. There is a big jump in this respect from Commuter vs. the Black Ball Line and The Reorganization of Philadelphia General Hospital, each of which runs to about 20,000 words and deals with a se of decisions taken among a relatively restricted group of people and interest in a well-defined locality or institution, and The Echo Park Controvers, which runs to nearly 70,000 words and attempts to describe in detail the arguments about one small part of a vast scheme with vast implication for developing the Upper Basin of the Colorado River. Echo Park and those immediately involved seem to get lost in this narrative too often, while the reader's appetite is whetted by larger glimpses of a greater controvers, and his head is sent spinning with agencies, associations, politicians and the like in never decreasing profusion. At the same time brevity can be as dangerous as prolixity, and the cameo of Moses on the Green, despite the inherent interest and liveliness of this tale of a thwarted town planner, take too much for granted and revolves too much round the character Commissioner Moses. Its 4,000 words and too brief perspectives make it the least satisfactory of the group.

But though a dedicated reader of case studies can pick holes here or the and can compare one example of the art unfavourably with another, h can scarcely have any doubts as to the value of the idea. Anyone who teached comparative institutions knows the need for-and often the complete lat scho of-material which shows not just the structure and the formal powers offices, but at the same time illustrates how the people, the organization and the powers actually operate and are operated. For a very large segment of American government these cases provide such data. Do you want In co start a discussion on the "weak mayor" system? Then turn to The May is ve and the Fire Chief, and find yourself not only enlightened on that phenomenous study but absorbed by the politics of racial integration. Do you wish to compare of protection the administration of the British Hospital Service with how an American issue Local Authority tackles similar situations? You will not find any helpf Train

British story anywhere, but The Reorganization of the Philadelphia General Hospital will not only elucidate for you the relevant bits of Philadelphia's municipal organization, but will reveal to you exciting glimpses of American medical politics and throw light on many American—or at least Philadelphian -social attitudes. The examples could be extended tenfold. There are in the present batch of cases alone wonderfully readable accounts of the relationships of headquarters to outstations, and of federal to state officials; of the ways of pressure groups, of the bartering of votes in Congressional Committees and of the influence of individual Senators; and of the great extent to which the American administrator has to reckon with and to use himself the technique of appeal to the Courts. Nor need you be a teacher or student of government, living in an ivory tower, to find a use for these cases. Are you an "executive"-public or private-concerned about the effect on your staff if you install electronic computers? Then let me refer you to Personnel Problems in Converting to Automation, which will tell you how the California Department of Employment managed to equip itself with a million dollars' worth of data processing equipment without sacking any of their permanent employees. Or are you a citizen of Hull, Birkenhead or the Isle of Wight, worried about the future of your ferry services? Then you will gain in perspective—if not, perhaps, in peace of mind—from perusing the history of the ferries which serve Seattle and its environs.

The aims of the American programme are set out on the cover of every

case under four headings. They are to:

"1. enlarge the existing basis for realistic generalizations about administrative

organization and behaviour;

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 explore the manner in which the insights developed by the various social sciences and disciplines can be marshalled in administrative policy making;

make generally available a body of varied case materials useful for teaching purposes, for scholarly inquiry, and for analysis by practitioners

in the field of public administration; and

4. secure widespread acceptance of the case study technique as a scholarly tool of research and reporting for use in theses, dissertations, and learned articles."

Even if one may be a little sceptical as to the possible realization of the first two of these aims, there can be by now no question as to the progress made towards the last two (which, surely, would be generally acceptable among students of government) and no doubts as to the high standard of scholarship established by the case writers.

THE SITUATION IN BRITAIN

In contrast to this body of material, widely distributed, the picture in Britain ways is very faint and demure. Until very recently the only self-conscious case study approach in the governmental context had been confined to the field of practical training. Miss Avice Turnbull's article in the Summer 1957 issue of this *Journal*² described and discussed the cases used by the Treasury's Training Division, and in the Autumn 1959 issue she and Mr Tarkowski

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set out their most interesting approach to the task of establishing better understanding between scientists and administrators.3 Though the Inter-Planetary Research Establishment is-and is intended to be-for consumption at a much higher level of sophistication and of rank than the study of the local office at Lowood, they are both the product of a good Anglo-Saxon tradition of relating a technique to some immediate practical problemin this event the improvement of administrative efficiency. These sort of cases are designed for the class room and need for success there the guiding hand of a skilled instructor or discussion leader. Either they are narrative brought to the point where a decision must be made, or are a collection of data about organization, powers and personnel in particular settings They are not intended to be read, but to be the bases of discussion and argument, and apart from certain parts of cases like Lowood, they are not concerned with what the American studies are mainly designed to illustrate —the process of administration—the influence of procedures and organization on the making of decisions.

There is a certain amount of narrative case study material already in print in Britain (Spann mentioned several examples in his article, and since the one could add, for instance, the official report on the Crichel Down affair, and from the fiction shelf Stewart Mitchell's amusing novel, Clerks in Low Orders), but none of it has been the result of a deliberate intention to us this sort of approach for academic or in-service purposes. It is only sing the beginning of 1958 that the Royal Institute of Public Administration in conjunction with the Public Administration Committee of the Join Universities Council for Public and Social Administration, and with the aid of a grant from the Ford Foundation, has begun work on the compilation of a set of British cases in the same broad tradition as the America experiment. It is not intended here to describe in any detail the work now being done in this field under the auspices of the Royal Institute. Most of what Stein wrote of the problems involved in the United States in hi 1951 article applies to British experience so far, and in addition, as we expected, those difficulties are made no easier by the less "open" character of British administration resulting from our very different political and constitutional framework. In any event it will be some time before the first fruits of present researches will be published. But there are a few point arising out of British official experience, out of the current R.I.P.A. researches and out of the American cases which may be worth making at this stage.

DIFFERENCES IN APPROACH

Miss Turnbull has emphasized neatly the difference between the America studies and the cases compiled by the British Civil Service. The America ones

"are long, couched in narrative form, and aimed at students . . . wh want to consider policy formation and the machinery of administration at a high level. These British ones are shorter, are not usually expressed as a continuous narrative, and deal with practical problems encountered by supervisors and managers at middle management level."

But while there is not too much common ground between the two types of case in so far as their immediate objectives are concerned, they share at least one characteristic—they tend to be illustrative of the unusual in administration. Many of the American studies are devoted either to very large topics, such as the Reorganization of the United States Foreign Service, or to stories of matters involving no small amount of "high" policy such as the Echo Park decisions, all of which involve the participation of politicians, and very often conflict between politicians. Many of the British internal official studies, being designed for rather narrow training purposes, concentrate on what went wrong rather than on the normal processes, and therefore show the official world in a bad light. Both sorts of cases, therefore, are untypical of the great bulk of administration, which is neither always concerned (even at high level) with "high" policy and political quarrels, nor with the pathology of the routine processes.

In at least one aspect of technique the American and British approaches are as wide apart as their general intentions—and just because of their different aims. Because the Americans are mainly concerned with sizeable matters of policy, they tend to ignore many of the humble aspects of administration—the procedures within a single agency, the routes by which files find their way up and down the hierarchy, &c.—and to concentrate on the broader political and personal forces at work; in other words to give to the alternative basic arguments about the subject matter of a case a greater emphasis than the mundane mechanics. The British civil servants, on the other hand, especially in cases designed for middle management training, tend not to be interested in policy development at all, and to highlight the detailed procedures and settings with the intensity of an "O. & M."

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None of this is intended to denigrate in the slightest degree either the American approach or the approach of the British Civil Service, but merely to illustrate some of their limits. For those limits throw up the intriguing question for anyone concerned to produce new cases in this country, of whether there can be any synthesis of the two existing approaches, or at least anything to suggest a middle way between them. There can be little or no realistic hope of bridging the gap between material for part playing in the class room and material for reading illustrative of the administrative process. For an appreciation of process involves knowledge of a complete cycle of decision making-or rather many such cycles in many different settings. Innumerable Lowoods or Inter-Planetary Research Establishments, while they are admirable for stimulating discussion among trainees who are themselves familiar with the procedures and settings, do not tell the reader (especially the layman) anything about the process—about the way in which the institutions and people described react on one another in the making of decisions. Nor will he learn enough about process by reading only one or two of the American cases; but the cumulative effect on his understanding of American government of devouring a dozen is another

If, then, the American style narrative is to be the basis of new studies in this country, must those studies be slavish imitations? So far as one

thinks of style and presentation there need be no shame in imitation, but there is an argument for different content, which relates to both the America and the existing British official cases. There is a good deal to be said for trying to find typical aspects of administration, rather than either the doubtless more exciting highly political cases or stories of lower or middle level error. Against this, however, must be set the point that the most typical case is the most routine case, which goes through the hierarchy of an organization without a hitch. The account of such a routine case would not be without value—it would be rather like an animated organization chart—but it would illustrate an essentially mechanical procedure, involving little or no thought and would not throw any light on the process by which decisions on matter raising problems are reached. But such problems need not be highly political nor need their solution be dogged by incompetence. There is a wide range of decisions which fall within a general category of cases, impossible to describe precisely, of the typical and interesting, which are neither unduly controversial nor illustrative of how administration should not be done.

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This sort of case—the typical and interesting—is also to be recommended as avoiding so far as possible the embarrassment of high political participation which, in the context of the British political and constitutional system, would often make publication well-nigh impossible. None the less its positive features are sufficient to recommend it: Ministers, after all, only handled tiny proportion even of the "interesting" cases nowadays, and the great bulk of Civil Service decisions, not to speak of those taken by Load Authorities and public corporations, lies within our category. Moreover, within such limits there is less temptation to get lost in the subject matter of the case itself rather than in the procedures and settings. It is understandably easy to give the policy arguments most prominence, but if we are concerned to learn about process it may sometimes be just as significant to say whether the weighty file containing those arguments was first considered before or after lunch!

It is not for an executant to prejudge the reception of his work, but future readers of British case studies produced by the R.I.P.A. might look bad with some interest on this midway statement of views about research is progress. Whatever its outcome, the current Institute project already own much to the auspicious American pioneering and to the ingenious technique used by case writers in Whitehall.

REFERENCES

¹Harold Stein: "Case Studies of Public Administration in the United States," Public Administration, Autumn, 1951. R. N. Spann: "Thoughts on Administrative Case Study," Public Administration, Spring, 1953. The latter was a review article about Harold Stein (ed.): Public Administration and Policy Development: A Case Book, Not York, 1952.

^aAvice Turnbull: "The Use of Case Study in the British Civil Service," Publish Administration, Summer, 1957.

³Z. M. T. Tarkowski and Avice T. Turnbull: "Scientists versus Administrators An approach towards achieving greater understanding," Public Administration Autumn, 1959.

'Avice Turnbull, loc. cit.

QUARTERLY NOTES

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The Organization and Status of the Bank of England

THE Radcliffe Committee (Report of the Committee on the Working of the Monetary System, H.M.S.O., Cmnd. 827, August 1959, 15s.) made some interesting observations and recommendations on the constitutional position of the Bank of England.

INTERNAL DIRECTION OF THE BANK

Under the Bank of England Act, 1946, the Bank ceased to be a private concern. In return for Government stock the whole of the capital stock of the Bank was transferred to the Treasury, who thus became the sole beneficial owner. The governing body, known as "the Court," comprising a Governor, a Deputy Governor and sixteen directors, is now appointed by the Crown. The term of office of the Governors is five years, of the directors four; all are eligible for re-appointment.

The Court consists of both whole-time and part-time members. The Governor, Deputy Governor and four "executive directors" are whole-time; the remaining twelve directors serve part-time. The 1946 Act prescribes that no more than four directors shall be employed to give exclusive services to the Bank. It does not, however, prescribe the source from which part-time directors are to be drawn. The composition of the present Court is: three partners or directors of merchant banking houses in the City, a deputy chairman of one of the smaller clearing banks and another chairman of a joint stock bank trading overseas, a member of the Trades Union Congress, and the others hold responsible positions in industry, commerce and shipping.

The Court meets once a week, on Thursday mornings. It has a series of standing committees each responsible for a different aspect of the Bank's internal affairs. By far the most important of these is the Committee of Treasury, consisting of the Governor, the Deputy Governor, and five directors, not more than one of whom may be an executive member. There is therefore a majority of part-time directors. All recommendations of other standing committees have to be submitted to the Committee of Treasury before presentation to the Court, and general understanding or practice indicates that the Court would not adopt any proposal that had not received the approval of this Committee.

The Radcliffe Committee concluded that "on questions of policy incidental to central banking the Committee of Treasury can be treated without qualification as the voice of the Court." Although, in theory, each director has a vote on any resolution or decision requiring the corporate authority of the Bank, it would be wrong, the Committee argued, to assume that the Court was the source of effective policy decisions; such decisions are reached in practice in the Committee of Treasury. The contribution of individual members of the Committee of Treasury to the formulation of policy should

not be over-stressed, however. The Radcliffe Committee fully realized that by the very nature of their position, it was the Governors who contributed most to the decision-making process. They have many official contacts; are the recipient of much confidential information, some of which they may not always be able to disclose to their colleagues; and they are the two chief executives continuously involved in all the complexities of modern central banking. On the evidence before them the Radcliffe Committee were led to the conclusion that "the Committee of Treasury is and must be in essence advisory to the Governor and that it is upon him that falls the responsibility for initiating and formulating advice or proposals tendered to the central Government on behalf of the Bank or recommendations proposed by the Committee to the full Court." (It should be noticed that the Report speaks of the Governor and Deputy Governor as one, i.e. as being included in the term "the Governor.")

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THE BANK'S RELATIONSHIP WITH THE CENTRAL GOVERNMENT

The Committee noted that the existing relationship between the Bank and the Government was not easily definable. This was due in some measure, they thought, to the influence of traditional practice. The Bank had been accustomed to working in close collaboration with the central government and of deferring to its requirements on any critical issue of monetary policy long before the Nationalization Act of 1946. The Committee observed that both the Bank and the central government had been "trying to evolve and practice an allocation of their respective functions which, while recognizing the paramount position afforded the Government in the 1946 Act, yet accepts the advantages of retaining in the Bank a separate organization with a life of its own, capable of generating advice and proposals that are something more than a mere implementation of its superior's instructions."

An allocation of functions on this basis the Committee regarded a satisfactory, but they were critical of the Bank's interpretation of certain provisions of the 1946 Act. This Act had introduced new constitutional forms, but had not stated any declaration of principle or substance "and in the resulting attempts to clothe these forms with a vestment of theory more attention had been paid to some details of the wording of the Act than the circumstances of the case or the probable intentions of the legislature required."

In the Committee's opinion such an analysis of its functions by the Bank, if permitted to harden into principles of dogma, "would be capable of producing strains in the relationship between Government and Bank which would be both harmful and unnecessary." They therefore felt impelled to restate what they believed to be the true position in rather more simple terms. "We do not think it likely," they declared, "that the complete constitutional structure of the central bank of the United Kingdom with its special responsibilities to the sterling area can ever be built up out of a series of statutory forms and prescriptions." Far more important than any statutory form for the Committee was that there should be a clear public understanding of the purposes for which a central bank exists. Constant co-operation

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between the Bank and the central government they regarded as the only desirable working relationship. It was unrealistic to conceive of monetary policy as something which could be framed and operated independently of the country's economic policy. In saying this the Committee acknowledged the concurrence of both the Treasury and the Bank in this view. It represented, in fact, their answer to a number of witnesses who had, explicitly or implicitly, urged that it was in the national interest that the central bank should be assured complete independence from political influence.

In the Committee's view, the most desirable relationship between the Bank and the central government lay in that state of affairs which enables the Bank to contribute to the Government's policy discussions advice and suggestions which its experience and contacts qualify it to offer, and which ensures that the Government consults with the Bank on all aspects of economic policy in which monetary operations are involved. This does not mean that the Bank is envisaged as nothing more than an exceptional Government Department. Such a position, the Committee was quick to point out, would be incompatible with its special position in the money markets, and irreconcilable with the status it enjoys in its overseas connections with the rest of the sterling area, overseas central banks and international agencies.

Co-operation between the Bank and the Treasury operates on a continuous and confidential plane. Since it is so often confidential it frequently tends to obscure the division of responsibility between the two authorities. The Committee postulated Bank Rate change as a case in point. In form, a Bank Rate change appears as an order of the Court; in practice, by an understanding which long precedes the Nationalization Act of 1946, no alteration is made in Bank Rate without the prior approval of the Chancellor of the Exchequer. In form, such a change is proposed to the Chancellor of the Exchequer by the Governor on behalf of the Bank; in practice, it inevitably is an integral part of the Government's economic policy. The Committee concluded that in so far as they believed the true responsibility for this decision lay with the Chancellor, it would be better that this should be made explicit by the announcement being made in his name and on his authority. Statutory direction, however, would be required to convey such an exercise of the Chancellor's authority. This the Committee regarded as bringing an added advantage, since a power of direction of this kind if little used acquires a status which deters any effective use of it at all. Despite the predominant role played by the Government in determining changes in Bank Rate, however, the Committee felt that the Bank's contribution would still be ensured. The Bank of England Act declares that no direction may be issued without prior consultation with the Governor. Furthermore, consultation with the Governor is indeed a matter of course on any matter which is likely to lead to a shift in interest rates. Throughout their consideration of the problems of these relations the Committee "endorsed the accepted principle that in all that relates to operations in the monetary and credit system the view or views of the Bank as expressed by the Governor are entitled to very great weight in the councils of Government."

The Committee saw further need for improvement in the working relationship between the Bank and the Treasury to ensure that the Bank's

views and decisions on monetary policy were taken with due regard to their implications for the Government's economic policy, and that the Government received the full benefit of the expert advice of Bank specialists on monetary affairs when framing their economic policy. To achieve this end, they recommended the creation of a Standing Committee whose task would be "to keep under review and advise the authorities on all matters relating to the co-ordination of monetary policy as a whole." The Chancellor of the Exchequer would be the official chairman, but on all normal occasions this position would be occupied by the Economic Secretary to the Treasury. Other members recommended by the Committee included the Governor, Deputy Governor and two other representatives of the Bank; four representatives of the Treasury; and two of the Board of Trade.

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THE PART-TIME DIRECTORS OF THE BANK

The Committee were invited by the Chancellor of the Exchequer to consider the general question of policy formulated by the Parker Tribunal regarding part-time directors and possible embarrassments arising from their outside commercial interests. The Committee received several suggested solutions as to the way such embarrassments might be removed. Abolition of the position of part-time director was one proposal advocated. This the Committee regarded as too extreme a step. They felt that, providing their services were carefully defined, the advantage the Bank gained from part-time directors with practical contact with current economic and financial affairs, could not be obtained in any other way. Another suggestion was that membership of the Court should not be open to persons who were partner in merchant banks or similar institutions. The Committee rejected this on the ground that it was difficult to draw a line defining interest in money market transactions.

The solution offered by the Committee rested on their recommendations for working arrangements between the Bank and the Treasury already outlined. The embarrassment of part-time directors inevitably arose from prior communication of policy decisions on central banking operations. This was the case in the Bank Rate move of September 1957. If their recommendations were followed, the Committee asserted, Bank Rate would be a decision of the Chancellor of the Exchequer; it would not be necessary to convey information of the timing of any change to the Court before it was made public, "except for good order at the time of change." Such information would be in the possession of any member of the Court who was a member of the proposed Standing Committee, but the Radcliffe Committee saw no reasonable likelihood of embarrassment arising from that

THE CHANCELLOR OF THE EXCHEQUER'S COMMENTS AND PROPOSALS

In the debate on the Committee's Report in the House of Commons of 26th November 1959, the Chancellor of the Exchequer stated that "a regards the internal direction of the Bank, both the Government and the Bank accept the Committee's general analysis of the respective functions and responsibilities of the Governors and of the part-time directors." He also indicated his wholehearted agreement with the Committee's view that

"it is to the advantage of the Bank to have part-time directors not merely as consultants, but as full members of the Court."

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Most of the Chancellor's comments, however, were directed to two specific recommendations of the Committee: the one relating to decisions about the level of the Bank Rate, and the one proposing the creation of a Standing Committee. With regard to the Committee's proposal that all decisions to raise or lower the Bank Rate should be made in the Chancellor's name and on his authority, he pointed out that no change in the Bank Rate had been made without the approval of the Chancellor. He did not think it was "generally advantageous in our public life to write down and formalize all those habits and practices by which we have learned to work together" but, in this case, he could "see no disadvantage in it being made perfectly clear that a change in Bank Rate is, in fact, made with the approval of the Chancellor of the Exchequer."

Although it had not made a formal recommendation on the question, it appeared to the Chancellor that the Committee favoured the use of a statutory direction to convey the exercise of the Chancellor's authority for each and every change in Bank Rate. With this he did not agree. "I believe it of great advantage," he stated, "that when the Bank Rate is changed there should be general knowledge here and throughout the world that the change is not only approved by the Chancellor of the day but also advocated by the Bank of England. I fear that this advantage would be lost if all changes were made on the Chancellor's direction."

The Chancellor agreed that it was desirable to improve on existing procedures, but preferred to change them in a way rather different from that suggested. He therefore announced that he had made arrangements for the following procedure to be observed in future in respect of changes in the Bank Rate.

In framing the view of the Bank with regard to the level of Bank Rate, the Governor is to be free to have discussions with the Committee of Treasury and with other part-time directors of the Bank, but he will not put specific proposals before the Committee of Treasury or before the Court of Directors. When, as a result of the customary informal discussion between the Governor and the Chancellor, a change in the Bank Rate is agreed to be desirable, the Governor is to make a formal written proposal to the Chancellor on the day before the change is to be made and the Chancellor must convey his formal approval in writing on the same day. This approval will cover both the change itself and the continuance of the Bank Rate at the new level until such time as a further change takes place. On the day the change is made the Governor is to report to the Court the action taken under the standing authority given to him. The final decision is to be made in the name of the Bank and announced in the usual way.

The Bank will be required to make the formal announcement to the Press, including a statement that its decisions have the Chancellor's approval. Until such time as a further change in the Bank Rate is proposed, the Governor will report to the Court at its normal weekly meetings that no further change is to be made, and that decision will be announced in the same manner as when a change is made.

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With regard to the Committee's proposal for a new Standing Committee, the Chancellor doubted whether this was the best way of obtaining the Committee's object of ensuring that the Bank's views and decisions on monetary policy were arrived at after full discussions of their implications for the Government's policy as a whole. "When the object is to knit the formulation of monetary policy closely in with the formulation of economic policy generally, and particularly with fiscal policy," he asserted, "it seems questionable whether the best way to go about it is to have another committee, especially a committee of a rather formal kind dealing with monetary policy alone, and especially as this would add to the rest of our machinery for consultation between Ministers and Departments." He believed that the best way to achieve co-ordination of monetary policy and economic policy was by arranging for the Bank to be permanently represented on the various official committees by which economic policy is already formulated. Bank has been informally associated with many of these from time to time in the past. The Chancellor proposed that in future it should be associated all the time as a full member.

Promotion of Private Bills by Local Authorities

T appears to the Minister that an increasing number of Local Authorities who have occasion to promote a Bill for some particular purpose use that occasion to ask for a wide variety of other powers which, though not absolutely necessary, might be conceivably useful at some time or another. In the case of County Council Bills similar requests are made on behalf of whole groups of district councils."

This is an extract from the Minister of Housing and Local Government's Report on the Kent County Council Bill, 1958, which, as deposited, contained no less than 442 clauses, only 33 of which were concerned solely with the County Council itself. The Report expressed general concern at the growing complexity and length of Local Authority Private Bills. Its observations were reinforced by Reports made to Parliament in respect of the Kent County Council Bill by the Chairman of Committees of the House of Lords and the Chairman of Ways and Means of the House of Commons, who have, both by Standing Orders and practice, extensive duties in regard to the supervision of Private Bills. These laid down the principle that in future County Councils should not promote Bills conferring on Local Authoritis or any other party or person functions in which the County Council had no interest. A result of these Reports was the creation of a Joint Committee' to consider and make recommendations concerning the extent to which Private Bills should be allowed to alter the powers and duties of "second tier" authorities.

The Committee's chief conclusion was that no principle was infringed by County Councils who sought to promote Private Bills to confer power

^{*}Joint Committee on Promotion of Private Bills (Report, Proceedings of Committee Minutes of Evidence, Appendices, H.M.S.O., 1959, 18s. 6d.).

on other Local Authorities within their areas, and that where private legislation was needed by several such authorities it might be desirable to follow this procedure. They did suggest, however, the adoption of certain safeguards. The first of these was that the inclusion of a clause relating to a "second tier" authority should be confirmed by a specific Resolution passed by an absolute majority of the council concerned at a meeting which had received adequate advance press notice; that a certificate signed by the Clerk of the "second tier" authority showing this procedure had been followed should be forwarded, with the Resolution, to the County Council; and that Parliamentary Standing Orders should be amended to require proof before the Examiners that this had been done in respect of each such clause The second major safeguard recommended by the Committee was that Standing Orders 4 (Contents of notice) and 10 (Publication of notice in newspaper) should also be amended so as to relate them to County Council Bills. They should provide that a copy of the Bill, or such of its clauses which conferred powers on "second tier" authorities, should be deposited in the relevant authority office and be available for inspection, and that a notice stating that the above requirements had been complied with and containing a summary of the Bill should be published in a newspaper circulating in each authority concerned.

The Committee was, nevertheless, disturbed by the increasing length of County Council Bills. They drew attention to the Report of the Joint Committee on Private Bill Procedure, 1955, which recommended the introduction by the Government of Bills conferring powers applicable either to Local Authorities generally or to particular classes of authorities every ten years. They were, however, inclined to place most reliance on their principal recommendations regarding the provision of safeguards as a solution to the problem. A solution based on either the application of a principle or a limit to be placed on the length of a Bill they considered inappropriate. The Committee concluded finally that "the true remedy lies outside their order of reference, partly in the field of public legislation and partly in the restraint, moderation and good sense of all concerned in the promotion

of Private Bills."

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The Conduct of Public Officials—Israeli Report

THE Israel Political Sciences Association have just made available the translation of a report the Association prepared at the request of the State Comptroller on a Code of Ethics for Public Officials. The report is the work of a strong Committee, with Dr Y. Dror as rapporteur.

REPORT OF THE COMMITTEE

Introduction

The purpose of these recommendations is to assist the civil servant in establishing guide lines for his own conduct. The recommendations are based on the experience of the committee members, on comparative research into conditions prevailing in the public service of other countries, and on

the adaptation of these data to the conditions and needs of Israel. It is the committee's considered opinion that the absence of a long-standing Civil Service tradition in Israel constitutes a real difficulty in the way of the official seeking principles and standards for his own conduct. The committee thinks that its recommendations are of a nature to guide the civil servant and to help him in the formation and development of a tradition of a responsible, loyal and efficient public service.

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Section 1: Application of the Recommendations

The principles and standards detailed in the present report apply to civil servants and other public officials, subject to modifications resulting from the differences between various public bodies.

Section 2: General Duties

(a) A public official owes allegiance to the State of Israel and its laws.

(b) A public official represents in the eyes of the public the body in which he serves and the public service in general. In order to fulfil his duties and purpose, the public official requires the confidence of the public. It is the duty of the public official to protect the reputation of the public service and to refrain from committing any act likely to cast aspersion on the service and to arouse suspicion, albeit unfounded, with regard to the integrity and rectitude of the public service.

(c) It is the duty of a public official to fulfil, honestly and loyally, all task incumbent upon him, to observe the provisions of the law and to serve public

interest alone.

(d) It is the duty of a public official to conduct himself, both within the framework of the service and outside that framework, in a manner befitting his function, his status and the honour of the agency in which he serves.

(e) It is the duty of a public official to treat courteously and without

favouritism all persons applying to him.

(f) It is the duty of a public official to do his utmost, within the framework of his functions, to further the work of the agency, to improve administrative procedures, to increase productivity and to ensure the observance of the principles and standards that are to govern the conduct of public officials.

(g) A public official should conduct himself respectfully and politely towards his colleagues, including his superiors, equals and subordinates.

Section 3: Political Activity

(a) A public official should abstain from any political or public activity likely to impair, or to seem to impair, his ability to maintain public interest above party interest, or his ability to perform his tasks without favouritism

(b) Senior public officials and persons holding representative positions are especially required to refrain from any conspicuous political activity, including public appearances on behalf of a political party, participation in political demonstrations and processions, and participation, either written or oral, in political debates from public platforms.

(c) A public official is required to refrain from any political activity while

on duty or at his place of work.

(d) A public official may not make use of his official status for partisan purposes. He is particularly forbidden to attempt to influence the political opinions of those subject to his authority or of persons with whom he has contact in the course of his functions.

(e) A public official may not collect funds in support of a party or any

political body whatsoever.

(f) A public official may not make use of political connections in order to obtain promotion or preferential treatment within the service. It is also forbidden to the public official to show preference or discrimination towards another official, to recommend or to refrain from recommending him, or to determine his attitude towards him, on the basis of identity or diversity of political views or on the basis of partisan considerations.

(g) A public official in his private capacity is entitled to express publicly, both in writing and orally, his views on general public matters unconnected with his work, provided that he observes the principles stated above, and

within the following limitations:

(1) A public official shall express himself in a style and manner befitting his

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(2) A public official shall not publicly criticize, either orally or in writing, the office or agency in which he serves.

(3) A State official shall not publicly criticize, either orally or in writing, any other government offices, or government policy, unless he has previously obtained permission to do so from his superiors.

Section 4: Labour Relations

(a) The nation and the state entrust public officials with important functions and extensive authority in the belief and expectation that public officials will conduct themselves with self-restraint befitting their status as public servants. As all citizens, the public official is entitled to strive for the improvement of his working conditions and to organize to this end and for other collective activities, including, inter alia, participation in the improvement of public services, in increasing their efficiency and in the furtherance of a tradition of responsible public service. At the same time, the public official, when negotiating over his working conditions, should refrain from employing means incompatible with the special relations of loyalty and joint service that tie him to the state.

(b) The committee recommends to public bodies and to organizations of public officials to establish joint mediatory machinery for the clarification

of issues on which they disagree.

(c) The committee recommends to organizations of public officials to set down a rule whereby, in case of dispute with a public agency, only an authorized national body of a public officials' organization should be entitled to decide on measures that are liable to disturb the work of the public agency.

Section 5: Business and Social Connections

(a) The duty of a public official to perform his functions without favouritism and for the public good calls for abstention from situations in which it would be difficult for the public official to withstand material or social pressure

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that might be brought to bear on him for the purpose of causing him to deviate from his course of duty.

(b) In order to avoid, as far as possible, the creation of situations which might make it difficult for the public official to perform his duties correctly, he should refrain from establishing any business or commercial relations, in person or through others who act for his benefit, with bodies which come into contact with him in the exercise of his functions.

(c) Thus, a public official should refrain from close social contact with persons having frequent recourse to him at his work, to the extent to which such connections might influence or seem to influence him in the performance

of his duties as a public official.

(d) A public official is forbidden to accept from a person or a body which come with him in contact in the course of his functions, directly or indirectly, either himself or through members of his family, any benefit or gift which go beyond the dimensions customary in ordinary social relations.

Section 6: Dealing With Applications of Persons Close to the Official

A public official should refrain from dealing with applications in matter of business, commerce, and the like, of persons or bodies whose relation with him would render it difficult for him, or might cast a doubt on his ability, to deal with their applications without favouritism. Such person and bodies include, inter alia, members of his family, bodies or person with whom he worked prior to entering public service, bodies or person with whom he has business or commercial relations and the like. Whe such a person or body applies to him the public official should refer them to another official. In cases where there is impossible, he should inform his superiors in writing of his special relations with the applicant.

Section 7: Restrictions After Termination of Service

(a) In order to avoid suspicion of favouritism, a public official who leaves the public service should refrain for one year from the date of his leaving the service from accepting employment with any person or body with whom he has had contact in the course of his functions in the public service and to whom he had granted licences, concessions, contracts for the execution of works, and the like, unless he received special permission from the management of the public body in which he had worked (in the case of a government official—from the Civil Service Commission).

(b) A public official who leaves the public service should refrain for two years from representing any individual or body before the office in which he served or before other public offices with which he had contact in the course of his functions. Also, he should refrain for all times from representing any individual or body before the office in which he served or before other offices with which he had contact in the course of his functions, in those

matters with which he dealt while being a public official.

Section 8 : Secrecy

(a) A public official is forbidden to communicate to any other person information which is not publicly known and which reached him by reason

of his work, except, in so far as this is necessary for the fulfilment of his functions or as he is authorized to do so by his superiors. Such information is a trust entrusted to the public official for the purpose of fulfilling his functions, and for this purpose only.

(b) A public official is forbidden to use for personal benefit information which reaches him by reason of his work. To avoid suspicion, public officials will refrain from participating in any private transaction wherein the

information which he has is of any significance.

(c) The prohibitions detailed in the sub-sections (a) and (b) above apply to public officials after their separation from public service as well. A former public official wishing to publish information that is not of public knowledge and which had reached him by reason of his work, must obtain written permission to do so from the management of the body in which he had served.

Section 9: Duty of Notification

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To the extent to which a public official gains knowledge of the commission, within the body in which he serves, of an unlawful act, it is his duty to notify his superiors.

Section 10: Additional Employment

(a) A public official should devote the best of his working capacity and ability to his functions in the organization in which he serves. He is forbidden to undertake any additional work except by permission of his superiors. To the extent to which a public official has received permission for additional work, he is required to report to superiors, to be appointed for this purpose, whenever required to do so, full details as to the nature of the additional work, its place and the income or any additional benefit which he derives from it.

(b) The public official is forbidden to engage in additional work liable

to impair his working capacity within the public body.

(c) A public official is forbidden to engage in additional work likely to impair or to seem to impair his ability to perform his functions without favouritism, or not befitting his position as a public official. *Inter alia*, a public official when doing additional work, is forbidden to engage in preparation of data or applications intended for the public body in which he serves. He is also forbidden, in the course of his additional work, to represent a person or a body before any public agency or before any person or body with whom he has contact in the course of his public service.

(d) A public official is permitted to engage in activities of a public nature for which he receives no remuneration, subject to the restrictions contained

in sub-sections (b) and (c) above.

(e) A public official is permitted to engage in any artistic, literary or scientific work, which does not entail a permanent connection. To the extent to which a public official derives financial income from such work, he is required to report it to superiors to be designated for this purpose.

Section 11: Personal Conduct

In order to preserve the reputation of the agency in which he serves as well as the confidence of the public, a public official should conduct himself at work and in his private life in a manner fitting the rules of ethics, decency and courtesy, and should serve as an example in obeying the various laws and legal orders.

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Section 12: Authorized Interpretation

The committee recommends to all public bodies which have not already done so, to set up a unit or to appoint a functionary to whom employes of the institution can apply for an authorized interpretation before the fac, in all matters concerning the standards of conduct applying to them.

Royal Commission on the Police

THE Prime Minister announced on 16th December in the House of Commons the name of the Chairman and the terms of reference for the Royal Commission on the Police. The Chairman will be Sir Henry Willink, Master of Magdalene College, Cambridge. The full terms of reference are:

To review the constitutional position of the police throughout Great Britain, the arrangements for their control and administration, and in particular to consider:

1. The constitution and functions of local police authorities.

The status and accountability of members of police forces, including chief officers of police.

The relationship of the police with the public and the means of ensuring that complaints by the public against the police are effectively dealt with

4. The broad principles which should govern the remuneration of the constable, having regard to the nature and extent of police duties and responsibilities, and the need to attract and retain an adequate number of recruits with the proper qualifications.

Fifty Years of the London County Council Staff Association

THE London County Council Staff Association, with just over 9,000 members, may seem a minnow when compared with NALGO, the Cirl Service and teachers' unions, and other staff organizations in the field of public employment, but it has had 50 years' eventful life and has recently published a readable history, *Progress Report* 1909-59, to celebrate its first half-century.

Created initially out of the sense of grievance which fired the younge administrators when the L.C.C. threw a barrier across their promotion prospects in 1909, the Association devoted much of its early energies to getting that barrier annulled. It finally succeeded on this issue in 1921 Meanwhile it had fought vigorously for a more generous cost-of-living bonus during World War I, and had had its requirements substantially met by an ad hoc arbitration to which the Council eventually agreed to submit the issue. By 1920 also the L.C.C. had conceded a pension scheme very much

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like that in general application in local government today, although previously the L.C.C. scheme had been reckoned to be inferior to that of any comparable authority.

This superannuation scheme was hammered out in a Joint Committee of Council Members and Staff, and was probably the most successful example of Whitleyism the L.C.C. service has known. An Interim Committee to fix rates of pay in the early 1920s quickly degenerated into a series of registrations of disagreement. A permanent Joint Committee of Members and Staff was set up in 1926. But the most striking acts of the Staff Association were conducted outside the sphere of joint consultation.

One highlight was a long battle throughout the 1920s in defence of some 1,500 staff who were subjected to what was considered an unjust income tax demand. The case was fought through the Tax Commissioners, the King's Bench, the Court of Appeal and finally the House of Lords itself. The Association gained complete success.

Next the 5,000-strong organization was petitioning in Parliament against the L.C.C.'s Bill of 1928 to rationalize London's Transport. It objected to the inadequate terms of compensation proposed. The fight was resumed when the measure became the London Passenger Transport Bill of 1933, though the opposition was now concentrated on the negotiating rights of the staff to be transferred. A special clause of the Act was eventually agreed giving specific protection for ex-members of the London County Council Staff Association.

Among its social work the Association conducted a scheme for the relief of distress in the "special areas" hit by the slump of the 1930s. Many thousands of pounds and much personal labour were devoted to community work in Stockton-on-Tees.

During World War II the Association succeeded in gaining from the Council a domestic arbitration tribunal, previously denied under the constitution of the Whitley Committee. The post-war struggle to protect the living standards of its members produced increasing strain in the Whitley machinery however. Relations became somewhat exacerbated. The Council abolished the domestic arbitration tribunal in 1952, and in 1956, following the affiliation of the Staff Association to the Trades Union Congress, announced its intention to abolish the local Whitley organization also. This took effect from 1957.

The Association decided it would rather remain without negotiating machinery than join the National Joint Council which the Council itself joined. The normal instruments of negotiation are therefore lacking in the L.C.C. service. The Association is not without hope, however, that discussions now proceeding may yet produce an acceptable compromise.

PUBLIC ADMINISTRATION

THE HALDANE ESSAY COMPETITION 1959

Report of the Adjudicators

TWENTY-SIX essays were submitted, ranging in length from under 4,000 to over 60,000 words, and in subject from detailed studies of minor branches of administration to essays in political theory. The range of standard was also wide: none was outstanding.

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Some of the essays were no more than painstaking descriptions of a part of the administrative process with which the writer was acquainted, or a report upon some particular piece of work that had been carried out. Some of these were well arranged and well written, but showed no wider consideration of the problems involved, of how a process could be improved, or of how the lessons learnt could be applied in future. Many of them showed a parochial ignorance of what happens in other departments and outside the Civil Service.

Some essays were marred by faults of presentation; for example, some would have carried more weight if sources of information had been quoted; others would have made a better impression if they had been more carefully checked for typing and spelling mistakes; others were presented rather in the form of a first draft, fully amended, than as finished articles. It would also be helpful if the essays were properly fastened together and not submitted on loose sheets. We did not exclude any essay from consideration on account of these faults, but we thought the authors might well have taken more trouble

The better papers fell into two broad classes. Some of them set out to explain an administrative process, usually from overseas, from which lesson might be learned by our own administrators, but they fell short of real ment through the absence of an adequate attempt to show what conclusions the writer thought should be drawn or how they could be applied in this country.

Other essays were obviously based on careful and prolonged study of some subjects of historical interest and importance, but again fell short by failure to draw the threads together or to enunciate general conclusions.

We do not consider that any of the essays submitted is really suitable for publication in its present form, and we find ourselves unable to regard any of them as having reached a sufficiently high standard to justify the award of the medal and main prize.

On the other hand we have selected four which we consider show sufficient merit to deserve commendation, and we recommend that they each be awarded a prize of 10 guineas.

Two of these dealt with important matters of government on a historical basis:

N. Johnson—who gave a very interesting account of the development of the use and practice of Parliamentary Questions.

R. L. Wettenhall—who described the political history of the various attempts made in Australia to achieve control over public corporations.

INSTITUTE NEWS

The others dealt with more specific pieces of administration:

- J. V. Miller—who described the workings of Internal Audit in Local Government.
- E. Y. Bannard—who dealt with some of the steps taken to deal with the Traffic Problems in the U.S.A.

In addition to these there were other essays which we found interesting and which had definite merits, but not enough to justify formal commendations; these included those submitted by W. M. Goodall, A. W. Gillett, A. H. Carter, and K. Ferguson.

Signed: B. Keith-Lucas. Sir Geoffrey King.

January 1960.

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INSTITUTE NEWS

Annual General Meeting and Annual Dinner

This year's Annual General Meeting will be held on Thursday, 21st April, at The County Hall, London, S.E.1, and will be followed by the Members' Annual Dinner. The Guest of Honour at the Dinner will be the Rt. Hon. Lord Morrison of Lambeth and the Institute's President, Lord Bridges, will preside. Members will be advised of the detailed arrangements.

"Ministry of Labour & National Service" by Sir Godfrey Ince

This, the eighth book in the New Whitehall Series, was published on 3rd March. It contains an account not only of the Ministry's present functions, but also of its development during the war and immediately after, a period of activity with which Sir Godfrey Ince was particularly associated. The retail price is 25s., but members can obtain copies direct from the Institute 18s. post free.

Copenhagen Conference

THERE has been a good response to the Institute's preliminary announcement about the Summer Conference it is organizing at Copenhagen from 20th to 26th August, and it seems that there will be at least 60 members taking part in it. They will return on 3rd September, thus having an extra week in which to visit other parts of Scandinavia under their own arrangements if they wish to do so.

"Public Administration" Article Reprinted in the U.S. "Congressional Record"

MEMBERS will no doubt recall the article contributed to the Summer 1959 issue of the *Journal* by Mr Harold Seidman on "The Government Corporation in the United States," and they will be interested to know that the United States *Congressional Record* for 26th January 1960 contains the following entry:

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THE GOVERNMENT CORPORATION IN THE UNITED STATES

Extension of Remarks
of
Hon. E. L. Bartlett
of Alaska

In the Senate of the United States
Tuesday, January 26, 1960

Mr Bartlett: Mr President, the Summer 1959 issue of Public Administration contained an article entitled 'The Government Corporation in the United States,' which was written by Harold Seidman, who is Assistant Chief of the Office of Management and Organization, U.S. Bureau of the Budget. The article has found a wide reading audience, and because it is the statement of an expert on a subject of interest to every Member of Congress, I ask unanimous consent that it be included with my remarks in the Appendix of the Record.

Notwithstanding the fact that the Government Printing Office adviss me that the cost will be approximately \$263.25, I ask unanimous consent that the article may be printed in the Appendix of the Record.

There being no objection, the article was ordered to be printed in the Record. . . .

Death of Mr D. M. Nenk

THE Civil Service has suffered a sad loss in the death of Mr D. M. Nenk who was Under-Secretary for Finance and Accountant-General of the Ministry of Education. Mr Nenk, who had occupied that post since 1955, was still in his early forties, and had been a member of the Royal Institute of Public Administration for some years. Before taking up his present post, he was head of the Architects and Building Branch of the Ministry of Education, where he played a most important part in establishing the Development Groups which have done much to secure better schools a lower costs.

BOOK REVIEWS

Budgeting in Public Authorities

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Report of a Study Group of the Royal Institute of Public Administration. George Allen & Unwin Ltd., 1959. Pp. 299. 28s.

This study is the third in a series of major research projects conducted by the Royal Institute of Public Administration. The method adopted, as on previous occasions, was a study group. This time the group consisted of three members from the nationalized industries, one of whom, Dr Edwards, was chairman; three from the Civil Service, including a representative from the Post Office, which nowadays should perhaps be regarded as half nationalized; three from local govern-ment, one from the National Health Service, two from private industry and a chartered accountant. Miss J. S. Hines, who served as research officer to the group and wrote the report under their direction, was, until her death last March, a member of the staff of the Royal Institute.

The book opens with a general introductory chapter on the practice of budgeting. Several definitions of budgets are given; the one which most nearly defines the coverage of the study is that recommended by the Institute of Cost and Works Accountants, "a financial and/or quantitative statement, prepared prior to a definite period of time, of the policy to be pursued during that time, for the purpose of attaining a given objective." Four different kinds of budget are then discussed, viz. revenue budgets, capital expenditure budgets, finance budgets and cash budgets; and five different features of the budgetary system, grouped under two main headings, budget preparation and budget execution. Budget preparation covers the form of of the the budget, the method of preparing the budget and the relationship between the stitut budget and policy making; execution covers how budget control is resent applied and the comparisons of actual inistr results with the budget. In the second introductory chapter, the report defines ng th ools the boundaries of the public sector, and analyses its main characteristics and form

of organization. These preliminaries concluded, we then are taken through the three different kinds of budget, described in the first chapter under the five main features which have there been distin-Five chapters (one to each guished. feature) are devoted to the revenue budget, two to the capital budget, one to the cash budget and there is a final chapter of conclusions. The budgeting of five main types of authority is considered in detail; central government, the hospital service, local authorities and the nationalized industries. Broadly speaking, two different methods are used: sometimes the various aspects of budgeting are considered and the usages of different types of authority are compared and contrasted as examples of the different principles involved; sometimes the procedures of each of the types of authority are analysed one after the other in a purely descriptive way.

The book reflects the advantages and disadvantages both of the study group method of procedure and of the composition of the particular group chosen on this occasion. The appointment of a supervisory committee of men eminent in the organizations, whose activities are the subject of study, has the advantage that research can be guided to the important points without loss of time, and the results of the research can be checked for balance, accuracy and completeness. This should lead to a report which is informative, well documented and having considerable authority. It has done so in this case, and as these qualities are combined with those of clarity and economy of exposition, the result is a most valuable description of how budgeting is carried on in the various parts of the public sector. Comparisons are made and distinctions drawn with great deftness, and, one way and another, all the important facts about budgeting procedures, and the

way they are related to the nature and purposes of the organizations concerned are brought out.

The disadvantages appear whenever the group passes from stating facts to attempting to assess them. It is notoriously difficult to obtain the agreement of committees to any statement of principle which has not been either so generalized as to mean almost anything, or so qualified as to mean almost nothing. So in the conclusions of this book statements appear which are near tautologies, and there are assertions and counter-assertions which all but cancel each other out (compare "To get the full value from a budgetary system, it must be made to serve all its potential purposes," and the later statement, "No budgetary system must ever be allowed to become so elaborate that the cost of operating it is out of all proportion to the benefits likely to result ").

A study of this kind would, however, be impossible without some principles and canons of practice however cautiously embraced; and owing perhaps to the composition of the group, the guiding rules have almost all been drawn from accounting. This is unfortunate, for one of the principal dramatis personae is the central Government, whose budget does not fit any of the normal accounting forms. It has no separate capital budget, and all its figures are in cash. In the result, the book deals with the central Government's budget as a kind of revenue budget and analyses it along with the other revenue budgets, and then proceeds to put in little apologetic passages at the beginning of the sections on capital budgets and cash budgets, to explain what has happened. It might have been very much more revealing and easy to follow had the analysis been in terms of processes of authorization, running control and audit used by the various authorities, including, amongst other things, the difference in the kinds of accounts which are used for these purposes.

The counterpart of the over-emphasis on accountancy is that there is much too little emphasis on economics. The American writer, Burkhead, is quoted with approval in the opening chapter of the book as saying that the study of government budgeting is a study in applied economics; yet there is very little economic argument in the book. But it

is only by working out the applied economics that one can, in the last resort, evaluate accounts and accounting procedures. Accounts are well formulated only in so far as they measure the significant things in a form which reveals their significance. To some extent significance is determined by the legal and constitutional status of the bodies concerned, e.g. if a body is given a grant against certain expenditure as defined by statute, its accounts must show the amount of its statutorily defined expenditure. But, to a very much larger extent, especially in the case of central Government, it is the economics of the matter which determine what is significant and what is not.

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This has a very close bearing on that part of the conclusions which is more topical at present—the form of government accounts. The group say, "The alternative to the present system would presumably be to base the main parlismentary control of government expenditure on an income and expenditure budget and accounts," and go on to describe the advantages in accounting terms of this procedure, in language which suggests a strong temptation (to which they never quite yield) to come down on that side of the fence. But, granted that the present system is not entirely satisfactory, why must we presume that an income and expenditure budget is the only alternative? Might it not be better to find out what the Government really needs to know, for the purposes of forming policy and ensuring compliance and efficiency in executing it, and what Parliament really needs to know for its purposes, and frame the account accordingly? In working this out, applied economics are particularly important, for the reason that, unlike budgets of the other institutions surveyed in this book the Government's budget has the function of regulating the economy, not simply reacting to it; and its accounts must be on a basis which shows the impact of the expenditure on the economy. It cannot be presumed that income and expenditure accounts as used by authorities with very different responsibilities will fill the bill.

There are then weaknesses of structure and argument in the book, which may well have been made inevitable by the study group method of procedure, the composition of the group and perhapialso by the terms of reference of the

study. It might have been better had these limitations been recognized and the attempt to draw conclusions not made. As things are, it seems best to disregard

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erhaps of the the final chapter, and to welcome the rest of the book for the excellent factual study that it is,

ANDREW MITCHELL

Your Obedient Servant

By SIR HAROLD SCOTT. Andre Deutsch. 1959. Pp. 192. 15s.

In Your Obedient Servant, Sir Harold Scott has made another useful contribution to the annals of public administration and the story of the British Civil Service. It is a very good book, even better than is Scotland Yard, which was no mean effort, and which I am glad to know has been translated into a number of languages.

His education began modestly at a national school, but he liked reading, experience and knowledge, and so he worked his way up the educational ladder by scholarships until he reached Cambridge University.

Young Scott successfully sat for the Civil Service examination and patiently waited for an entry to the Home Office, where he spent most—but not all—of his official life; he had a spell at the wartime Ministry of Aircraft Production with Sir Stafford Cripps; through most of the war he was under Sir John Anderson and later myself at the Ministry of Home Security. And a very good officer he was, both at London Region and the Ministry.

In the course of his duties at the Home Office he dealt with correspondence from Commonwealth countries and others congratulating King George V on his Coronation. On one draft reply the King's Private Secretary minuted: "Why no reference to A.G.?" Scott asked why the Attorney-General should come into it. "Attorney-General?" said the King, indignantly, "I meant Almighty God."

Two great phases in Scott's Civil Service life stand out in the book: Prison reform and civil defence. Very fine chapters. As Chairman of the Prison Commission (I suppose one of the first of our semi-public corporations in a way) he received valuable inspiration from that great prison reformer, Alexander Paterson. They had to fight opposition all the way,

patiently working to convert successive Home Secretaries, and, as a whole, succeeding.

There is a story of a persistent woman drunk, a regular prisoner at Holloway. Upon discharge on a Saturday she always remarked: "Well, goodbye dearie, keep my cell for me. I'll be back on Monday."

With war looming, Scott became Chief Administrative Officer of the London Civil Defence Region, building the organization from little or nothing to something. For aid he drew freely on civil servants, military men and officers of the London County Council, making good friends of the Town Clerks.

Later he was called to the Ministry of Home Security as Deputy Secretary, in due course becoming Secretary.

We get the explanation of that first air raid warning the day war was declared, with no enemy action following. It was a British aircraft mistaken for an enemy. Still the mistake had its uses.

Sir Harold Scott was a fine civil servant to whom I was much indebted. And now we are further indebted to him for this well-written and valuable book. Let us have some more.

MORRISON OF LAMBETH

Public Enterprise and Economic Development

By A. H. Hanson. Routledge & Kegan Paul, 1959. Pp. 485. 42s.

THERE are fashions among economists, In the 1930s unemployment and its manifestations - depressed industries, cyclical fluctuations - attracted most attention. Nowadays, with mass unemployment conquered, it is growth and a rising standard of living which attracts the bright young men. In particular the challenging problem is how to secure a rapid rise in the standard of living of under-developed countries. Mr Hanson's book is the first major sign that students of government and administration in this country (unlike in the United States) are attracted by the same problem and are anxious to make their contribution.

Though Mr Hanson is primarily concerned with the role, forms and control of public enterprise in underdeveloped countries, he quite rightly spends a good many pages on the broad problems of economic development-the obstacles to be overcome (such as shortage of capital) and the methods of overcoming them including the use of public enterprise. Clearly Mr Hanson believes in public enterprise, but his book is written on the assumption that the countries concerned will wish for a mixture of public and private enterprise. For this reason he excludes consideration of lessons to be derived from Communist countries, though he says "It would be ridiculous to claim that the experience of the Communist world in running public enterprises is entirely irrelevant for those countries that have chosen other paths of development. . . ."

In this early section he refers to development as "a deliberate and planned re-arrangement of human and material resources," and agrees with Mr Maurice Dobbs' viewpoint that economic development should be regarded from "the standpoint of organization rather than that of the availability of 'capital' and the size of the 'savings fund.'" In this the Communist has the advantage for he "can act with a ruthlessness tempered only by the need to avoid provoking rebellion 'and to maintain producers' morale'—in both of which tasks he is

notably assisted by his monopoly of the means of propaganda."

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Mr Hanson's discussion is not, of course, always on this general level. He spends some 70 pages explaining the place of public enterprise in Turkey, Mexico and India, and some 270 pages are spent on the problems of organization and control. He draws his examples from many countries: the Chilean Fomento or Development Corporation; the Industrial Development Corporations of Pakistan and India; the Tennessee Valley Authority (as the prototype of other regional agencies for river-valley development, e.g. the Damodar Valley Authority in India).

All the time Mr Hanson is trying to bring out the significance of this or that element in the situation or organization. He is not afraid to generalize on a few examples or to even moralize for the benefit of those in under-developed countries who are faced with administrative problems of securing economic development by the use of public enterprise. Anyone familiar with the conditions usually prevailing in the under-developed countries will, he says, realize how difficult are the attainment of such desiderata as an honest, uncorrupt, and technically competent Civil Service. So anxious, however, is he to avoid the impression that he is a superior Englishman writing for lesser mortals that at another place he says "Obviously, we have not achieved administrative perfection; but if our organization is examined from the standpoint, not of our own ideals, but of those of an under-developed country, it looks pretty good."

If I have a criticism to make of the book, apart from the evidence of hurried proof reading, it is that so much of his final discussion of the problems of control, internal organization and personnel is based on British experience rather than on experience in under-developed countries. This perhaps is one of the inescapable difficulties of comparative studies; one moment the reader is being told about the experience in Turkey, a

few pages later he is in Chile, then in Pakistan, then Ghana, then India, and so on. But are all these ideas and experiences interchangeable? What adjustments does one have to make to the lessons derived from a study of the T.V.A. before applying them to the introduction of such a body Similarly if one is concerned in India? mainly with South America, South-East Asia, or Africa, how much can one learn from the relations between Ministers and the Boards of the British nationalized industries? Are the ingredients in, say, the Indonesian situation-political, social, administrative and economic-so similar

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that lessons derived from Britain or even from India are transferable to that country?

The merit of Mr Hanson's powerful survey, therefore, is not that it provides a list of lessons and ideas to be applied in any country. Rather is it that by discussing and analyzing the various administrative problems and indicating some of the ways they are handled in different countries he provides experience and considerations which should help those concerned with the economic progress of their countries to work out their own particular solutions.

D. N. CHESTER

Law in a Changing Society

by W. Friedmann. Stevens & Sons Ltd., 1959. Pp. xxvi+522. £2 10s. 0d.

In 1951, Professor Friedmann published Law and Social Change in Contemporary That book had an aim much more ambitious than Dicey's classic Law and Public Opinion in the Nineteenth Dicey concentrated on the impact of legislation; Friedmann attempted the much more difficult task of measuring the impact of social change upon the entire fabric of English law, both common law and statutory. Since writing that book the author has been Professor of Law successively at Melbourne, Toronto and now Columbia. Law in a Changing Society mainly consists of a bringing up to date of the earlier one, together with a survey of corresponding law and social change in the U.S.A., and supplemented by a survey of sociological jurisprudence which owes most to Karl Renner.

The great merit of the work is in its tremendous range. Professor Friedmann is a German trained lawyer who has been able to combine most successfully his training in the principles of civil law with his wide reading of common law throughout the Commonwealth and the U.S.A. Property, contract, tort, criminal law, family law, monopolies and restrictive trade practices, company law, trade union law: to all these topics the author applies the same technique. He stresses the aspects which present the greatest social challenge and considers in a comparative

manner how far common-law countries have responded by case law or statute. All this is supplemented by copious citation of periodical literature so as to furnish a point of departure for anyone anxious to pursue any aspect of this vast area.

Part IV is devoted entirely to Public His theme here is the extent to which the minimum postulates of social justice which are now part of the established public philosophy in civilized countries are satisfied in the light of the vast of governmental functions. expansion He maintains that the State has many privileges which, however suited they might have been to a State, the functions of which were limited to defence and foreign affairs, require re-definition and limitation when the State administers social services and controls economic enterprise. He is not satisfied with the attempt to subject the State to the private law of contract and tort so long as the wide scope of administrative discretion remains. He contends that the separateness of public law should be recognized as it is in Europe. Some of his observations are shrewd: those like Hamson and Schwartz who describe the Conseil d'Etat so sympathetically are much less successful in explaining why an administrative appeal tribunal along those lines is not exportable; those who have protested most at administrative law when freedom of trade has been interfered with in the interests of social justice were, in the U.S.A. especially, in the face of apprehensions about Communist subversion, the keenest advocates of executive control in the spheres of national security, freedom of movement and employability.

It may be that occasionally Professor Friedmann sees a social explanation for a decision which would never have occurred to the trial judge. Yet we must all be grateful for this source book on the significant developments in the law today.

HARRY STREET

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Small Town Politics

By A. H. Birch. Oxford University Press, 1959. Pp. vi+199. 25s.

THE pioneer work of Graham Wallas on the study of political behaviour has been curiously neglected. Since his day university departments of politics have concentrated on historical, legal, institutional or theoretical studies; investigation of how the common man reacts to public affairs, on a national or local level, has not been undertaken. Election studies have done something to fill this gap in the last few years and now the techniques of social survey have been applied to a small town, Glossop, to provide a detailed picture of its political life at the "grass roots" level.

Small Town Politics is the product of a research group organized by the Department of Government at the University of Manchester. Many hands have gathered the material for the book and Mr Birch has done excellently in producing the final outcome, a balanced, thoughtful, well-written contribution to political sociology. It includes an outline of the economic and social history of Glossop covering nearly two centuries, an analysis of the functioning of political parties in the town and of other organizations concerned with public affairs, e.g. the Trades Council, a description of county and municipal government and, finally, a discussion of the relationship of the outposts of Whitehall-local offices of various national Ministries-with Glossopians. A sample survey was also made of political attitudes of party members and among the "unpolitical." The sample of party members was really too small for the results of the investigation to be of high value, but the extent to which Labour supporters did not adhere to the policies

of their own party may be significant in view of the General Election result.

Future historians must heed the warning that Glossop is more untypical than most places. Where else has a football team once in the First Division declined in oblivion? Glossop is unusual in the extent of its inter-war depression, in relative isolation, in the extent to which its political clubs with their social interest seem to dominate political activity. Then must be few local Labour Parties who disregard the constitutional edicts of Transport House as much as that is Glossop. Few also are the towns when the Liberals remain so strong and the Conservatives so weak. It is to be hoped that other towns, or rural areas, will be subjected to the same type of examination in the future. Yet I suspect that no many towns in Southern England could provide such attractive material for case-study.

Those concerned professionally with public administration should obtain special value from this book. The devitalization of local leadership through centralization and uniformity are clearly portrayed. Advisory committees created by local offices of central departments tend to become public relations media. Local mandarins of Whitehall are anonymous strangers, unloved. Small Town Politic gets us beyond the institutions of government and shows us the governed. The is good: the governed should never to forgotten.

PETER G. RICHARDS

Elements of Public Administration

Edited by F. M. Marx. Prentice-Hall. 2nd Edn., 1959. Pp. xxviii+572. \$6.95.

Government and Public Administration

By J. D. MILLETT. McGraw-Hill, 1959. Pp. x+484. 62s.

Administrative Vitality

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Ву М. Е. Dімоск. Нагрег. 1959. Рр. viii+298. \$5.00.

"WHY do you show me this?-Start, eyes!-What? will the line stretch out to the crack of doom?-Another yet?" Here come marching another 1,300 pages of American books about American public administration, unlike Macbeth's phantoms, all too solid. Happily (though it is a mixed bag) there is some relief. The first book, Elements of Public Administration, is a welcome re-issue of a standard work first published 14 years ago. It is a symposium, but a well-planned and well-executed symposium with shape and form, covering much ground, suitable for use by itself as a text-book. For the second edition, Mr Marx has assembled the same distinguished team of teacherpractitioners as before-John Vieg, V. O. Key, James Fesler, John Millett, George Graham, Dwight Waldo, Milton Mandell, Don K. Price, Donald Stone . . . the list reads like a kind of Debrett of American public administration. The book is in four parts: the first a useful general sketch of the history and grammar of the subject; the second a survey of "planning," problems of organization in American bureaucracy, the President's office and agencies, departmentalization, field organization (i.e. regional and local offices), public corporations, and much Part III discusses "working methods "-including the formation of administrative policy, rules (" government by procedure"), the role of middlemanagement and supervision, administrative reorganization at the top, O. and M. at the bottom, and "organizational morale." Part IV is devoted to "responaccountability "-adminsibility and istrators and the law, Civil Service procedures and problems, the Budget, accounting and audit. All this is well written, up-to-date, and thoroughly useful: a nice blend of theorizing and hard fact which clearly deserves "the large circle of friends" which the editor tells us it

"has had the good fortune" to win over The format is immensely the years. improved—the first edition was presumably produced under conditions of wartime reconstruction stringency (I wish British publishers would do half as good a job). One small point which the editor might like to note for the next reprinting: the passages relating to the (British) Central Board and the Electricity Passenger Transport Board on p. 307 should either be deleted or recast in the past tense, since the arrangements they describe no longer exist. Otherwise, the references to "England" seem wholly and admirably accurate.

President Millett's latest book is concerned with a serious problem on which there is already a good deal of American writing: the public control of public bureaucracy. His thesis is trite enough in its formulation, but its significance is as yet imperfectly grasped by the majority of thinking citizens of the free democracies-and perhaps by most of their public servants also. It is that, though the "very survival" of free nations "today depends upon the capacity and loyalty of those men and women who are recruited (into) the public service," the democratic ideal "requires that bureaucracy in its high degree of professionalisation shall not become the ruler of man." In his recent book about European civil servants, The Profession of Government, Dr Chapman has considered some of the implications for democracy of the rise of public service as a self-governing profession. We have scarcely begun, in this country, to consider these problems in relation to our own public service. Not so the Americans; and Mr Millett's book is worth reading and pondering-not because it is itself a major contribution to the debate (indeed, it is in some respects disappointingly negative in its arguments) but because it brings together in an

orderly way a great deal of essential information on which rational discussion about the political control of administrative power in the United States can be based. It is not a profound book (it is not intended to be), but it is a very useful one. It deliberately concentrates on institutional devices-on the formal rules of the game -the understanding of which Mr Millett (rightly) believes to be at least as important as the more fashionable observation of the behaviour of the players. It is, again, in four parts (except for one introductory and one concluding chapter). The first part examines briefly the constitutional framework-and the exercise of administrative power in America is continually conditioned by the fact that the United States has a written constitution and is a federal state with (consequently) a highly decentralized bureaucracy, and by the fact, too, that the federal administration possesses an identity not only constitutionally separate from the legislature and the judiciary, but also separate in practice from the executive (a fact that is sometimes overlooked by native observers as well as by foreigners accustomed to parliamentary government). The second part considers Congress as a source of administrative powers, as an initiator of administrative organization and reorganization, as a provider and supervisor of the expenditure of public funds, and as a scrutineer of administrative procedure and efficiency and of staffing. The third part deals with the Executive-mainly functionally (the President and foreign affairs, the President and national defence, the President and economic development, and so on)-but also in relation to the appointment and removal of top administrators, the organization and discipline of the rank and file of the Civil Service, and budgetary management. The final part considers the place of administration vis-a-vis the judiciary, including chapters on "due process" in administrative procedure and judicial review of administrative decisions. Mr Millett states the facts with clarity and marshals them with skill; but he is evasive in his judgments. He concludes: "So long as the structure of political power encourages the effective operation of the political institutions of our society, and so long as the political institutions lead and encourage as well as direct and supervize the administrative work of government, that long shall we continue

to have a politically responsible bureaucracy in a democratic polity and a free society." That is excellent logic (though not very good rhetoric); the inference is valid, but one cannot help feeling a little uneasy about the premisses.

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Professor Dimock's book is a different kettle of fish. It is not written, he tells us, "primarily for other scholars," but with the needs of the executives of large organizations, public and private, in mind I am not quite sure what they will get from it-except some possibly comforting slogans, in which it abounds, and a certain amount of common sense which I imagine they have heard before. problem with which Professor Dimock is concerned is real enough: with enterprise comes growth; with growth comes a need for formalism in structure and method; when the organization gets really large it tends to become inflexible, rigid, sluggish. How to keep administration vital? Professor Dimock is an able scholar and an experienced administrator, well known to many people in this country. I am sorry that he should have chosen to write what often reads like one of those books on "personal magnetism" that one sees advertised in science-fiction magazines: "The secret of vital living can be yours! Are you sluggish? Tongue-tied? designed to encourage and to warn "During his active career as the head of General Motors, Alfred P. Sloan, jun., came to the conclusion that decentralization is a primary means of combining the best elements in bureaucracy and enterprize. . . ." "At lunch one day in London I tried out a group-behaviour explanation of bureaucracy on an official of one of Britain's largest industrial combines. He thought for a moment and then said, "There may be something in this thesis . . . "); there is the familiar mixture of bits of sociology and economics, of psychology and biology; the same moralizing (" The administrator must give his own time to training employees in the how as well as the why of the change . . . "Alert management must supply the spark and the wisdom that tie the administrative process together, and a test of this function is the manner in which the programme responds to change" It may be a little harsh to say that

Administrative Vitality contains every cliché known to man except "Please adjust your dress before leaving," but it

cannot be far short of the truth.

I. W. GROVE

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By JAMES G. MARCH and HERBERT A. SIMON. With the collaboration of HAROLD GUETZKOW. John Wiley & Sons, Inc., New York; London, Chapman & Hall, 1958. Pp. xi+262. 48s.

THE authors, and their collaborator, who was present at the earlier but not the later stages of the book's preparation, belong to the Graduate School of Industrial Administration of the Carnegie Institute of Herbert A. Simon is, of Technology. course, already well known to students of administration in Great Britain as the author of Administrative Behavior and the part-author (with Smithburg and Thompson) of a large text-book on administration. He is also an associate editor of Sociometry and he published in 1957 a difficult book called Models of Man: Social and Rational. James G. March is a member of the Social Research Council Committee on Mathematics in Social Science Re-

It is not surprising, therefore, to find that the present work has been undertaken because of concern about the casual and unsystematic way in which organizations have been treated, not only in statements by practitioners, but also in the writings of such people as sociologists, political scientists and economists. "The literature leaves one with the impression that after all not a great deal has been said about organizations, but it has been said over and over in a variety of languages." Further, the greater part of what has been aid "has never been subjected to the rigorous scrutiny of scientific method." The authors have therefore set themselves the tasks of examining propositions about organizations, of re-stating existing hypotheses in forms that make them menable to testing and, to some extent, of indicating what kinds of tests are relevant and practicable.

This has been done against the background of that form of co-operative and institutionalized—indeed programmed research that is by now so characteristic a feature of the American "approach." Five other members of the Carnegie Institute are thanked for help; advice in particular specialized fields has been obtained from outside the Institute; the first draft of the manuscript was read by a group of 16 who composed a "Research Training Institute in Organization Theory and Research sponsored at Carnegie Tech by the Social Science Research Council during the Summer of 1957." Various students and research assistants who helped are named. Time off to think or assistance in thinking was provided by the Ford Foundation and the Centre for Advanced Study in the Behavioral Sciences. The book itself represents quite a lot of organization.

Advantages of this are that a lot of ground is covered in an orderly way and that a lot of material has been drawn upon. Before the General Index there is a Numerical Index to Variables (running " 3.1 Control, demand for," "7.28 Sub-units, interdependence among"). This refers back to propositions identified in the text, and the numbering permits, at various stages in the argument, a coding in these propositions of relations between dependent and independent variables. Before this Numerical Index, there is "a sample of the literature" extending over 36 pages and containing, if I counted correctly, just under 900 items (including Plato's Meno). But this is no mere shop-window dressing. It has been used extensively; and if the book has no other merits, it could be recommended for its numerous summaries of leading discussions of organization.

The general plan of the work is fairly simple. Theorists of organization have mainly written with one or other of three

different kinds of emphasis-on organization members (and particularly employees) seen as passive instruments; or on attitudes, values and goals in administration; or on decision-making and problemsolving: the authors therefore consider models and propositions connected with these, that correspond to these three types of emphasis. As might be expected, the first emphasis (commoner in the first quarter of the century than now) is found to have involved undue abstraction, to have been given expression in frequently vacuous " principles," and to lack support-The second emphasis, ing evidence. characteristic of the second quarter of the century, has the best-founded empirical basis (although one that still leaves much to be desired), and its propositions help to throw some light on decisions in organization, on participation, and on conflict. But it is still incomplete, because it is not focused directly on the attributes of "organizational man" as "a decision maker attempting to be rational." We move on, then, to the third emphasis, under the headings "Cognitive Limits on Rationality" and "Planning and Innovation in Organizations." This emphasis should supplement the two earlier ones, but it has so far not been very greatly developed at the theoretical level, and almost no empirical evidence has been collected in connection with it. And the book then ends by drawing attention to certain questions of method which the authors consider to be of particular importance for further research.

This is a work of impressive intellectual calibre. The language is at times forbidding; but it seems to represent a genuine and not a merely sentimental

attempt to use a precise technical vocabulary. There is probably no better or more thorough introduction to the approach the authors adopt. Doubts are more likely to arise in this country about the value of the approach itself. addressed to organizations in general (and the examples are varied, although they seem to come to a large extent from the world of industry and commerce). Those who consider that the adjective "public" in front of "administration" really dos have some significance will want to know what may be involved in adjusting this approach to examining and explaining "the public sector." Do we then use this approach together with others, or does this approach become modified? How does one bring together and deal jointly with decisions made under pressures in relation to means and ends and decisions of the judicial type? But if one remains within the field as indicated by the author, then what may be expected in the way of results? Some of the more commended propositions of the second part, for instance, do not appear to advance greatly on the generalities of the first part. Is this simply because the full dialectic has not been deployed and because empirical enquiries are still deficient? Some readers may agree that a reasonable approach should be comprehensive and that every effort should be made to carry empirical enquiry further; but they may wish to suspend judgment on whether the results of multiplying such enquiries should be expected to have some general utility and not just a series of particular and possibly disconnected uses.

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Help for the Arts

A Report to the Calouste Gulbenkian Foundation, 1959. Pp. 64. 3s.

THERE is scarcely anyone who at some time or other has not had a good deal of fun in asking or answering the question: "If you had a fortune—a really large one—what would you do with it?" Yet there is no more difficult administrative problem than to devise ways and means of giving away money with the intent

that an objective shall be ultimately secured, but otherwise with as few restrictions as possible. This kind of task is made even more difficult when the money comes from somebody else—to deny this is surely a measure of one's sense of responsibility!

With this in mind, Help for the Arts,

published last summer, is a fascinating review of how to make the best use of considerable resources, and bring sound patronage to the Arts. The ever-increasing responsibilities of public bodies and Local Authorities in this realm makes the Report a specially valuable document, and one which should be studied particularly by those associated with the administration of them, which means, in short, obtaining best value for money.

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The Report was the result of an invitation by the Gulbenkian Foundation to a small informal Committee, headed by Lord Bridges, to review the needs of the Arts in this country. The Committee had to bear in mind the Foundation's view that unless they considered the position of the Arts as a whole, which meant looking into the important activities carried on by State and public authorities, it was not possible to be sure what was the most fruitful field for its work. On the other hand, the Committee had no official standing, but they acknowledge the courteous help they have had in carrying out their task from national organizations and Local Authorities.

After reviewing the situation as a whole, the Committee come down with considerable emphasis that it is in the provinces that the Arts need the most help, and that it is better as a policy to help a few worthwhile centres rather than to spread the butter thinly over a large piece of bread.

The Committee, who reviewed what has been done and not done, say with force something that is not generally accepted by the public yet, that at no time have the Arts flourished without patronage. The Committee refer to the reaknesses of State patronage and the disappearance of private patronage, and point out that Local Authorities, upon whom now so much depends, in addition to their powers of providing Art Galleries and Libraries, now have wider facilities under the Local Government Act, 1948, but who, with exceptions, have made so little use of them that they can only be referred to as "marginal patrons."

One constructive suggestion the Committee make is that groups of Local n the Authorities should get together and appoint an Arts Officer for their respective areas. For the remuneration of such an appointment, they suggest the Foundation might well be asked to accept responsibility, if only as an experiment. Committee hasten to say they wish to avoid any form of regionalization.

This may be a sound logical proposition, but in the world of practical local government, though here and there one finds orchestras jointly supported, theatrical companies jointly sponsored, the appointment of a group Artistic Director is hardly something which many Local Authorities would readily accept. conceded at once that artistic direction (and paying for it) is a particular weakness of Local Authorities, but probably it would be the very Councils, who were not in the least bit excited about acquiring new powers in 1948, who might react quite strongly to anything which savoured of interference with their free exercise. Artistic overlordship and British democracy do not easily walk hand in hand! Notwithstanding this, the Regional Officers of the Arts Council, whose regrettable disappearance is commented upon by the Committee, did a most excellent job of work, and although in some quarters they gained the kind of reputation suggested above, they hardly deserved it, and on the other hand did a great deal to guide many Local Authorities towards worthwhile endeavour.

The Committee do not make any formal recommendations, but they conclude by emphasizing the main impression left upon them that while this country is producing artists of all kinds of the highest quality, what is lacking, notwithstanding significant advances made in recent years, is adequate support or patronage. "Far too few people seem to recognize the place which the arts should play in the life of the nation as a whole, or if they recognize it, show a marked reluctance to meet the cost."

F. D. LITTLEWOOD

BOOK NOTES

Statistical Analysis in Comparative Administration: The Turkish Conseil d'Etat

By ROBERT J. PRESTHUS and SEVDA EREM. Cornell University Press and Oxford University Press, 1958. viii +55. 16s.

"In a large sense the broad, historical studies (of both Western and local scholars) that presently dominate the field of comparative institutions need to be augmented by empirical field studies that can reinforce and modify the big generalizations with which such studies necessarily deal." This book records an interesting exploratory study of this kind undertaken under the United Nations technical assistance programme. A random sample is taken of cases appearing before the Turkish Conseil d'Etat during the years 1947-54, on the assumption that the cases comprised a representative cross-section of important administrative issues, and a systematic analysis of them would reveal certain patterns of administrative behaviour and reinforce generalizations about Turkish law and administration already suggested by traditional methods of research. The cases are classified according to type, disposition, jurisdiction, distribution, parties concerned, and geographical origin. On the basis of their findings the authors are able to draw several conclusions which validate initial hypotheses, and point the way to possible paths of improvement in the administration of Turkish law.

Staff Management

By ELIZABETH BARLING. Institute of Personnel Management, 1959. Pp. 46. 4s. 6d.

This pamphlet is another in the Institute of Personnel Management's series of broadsheets and covers a wide range of matters of importance in Staff Management. Since the author deals with employment policies, training, incentives, consultation and many other matters,

only a small amount of space can be devoted to any one subject. The pamphle does, however, give a newcomer to Personnel Management a general idea of the functions of a staff department and would be of interest to anybody recently appointed to an Establishment or Personnel Branch.

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Local Government in Britain

Reference Pamphlet No. 1. Edition, 1959. Pp. 38. 2s. 6d.

Health Services in Britain

Reference Pamphlet No. 20. Edition, 1959. Pp. 56. 3s. 6d.

Government and Administration of the United Kingdom

Reference Pamphlet No. 32, 1959. Pp. 84. 5s.

THE above three pamphlets are in the series prepared by the Central Office of Information for the Overseas Information how t Services, and are published by He society Majesty's Stationery Office. Each is m sively excellent introduction to its particular versial subject and contains a very helpful relation bibliography.

Rating—Compounding Allowances on question Discounts

Institute of Municipal Treasurers at prefere Accountants. Pp. vii+66. 25s.

PREPARED by a research group composed for a for a discusses the practice of Local Authorise in applying their powers to obtain payments. in applying their powers to obtain paymer of rates from owners instead of the tenants and granting discounts for prompayment. The first two chapters payment. The first two chapters to assist concerned with the legal provisions, the practice followed in their application, the second content of the process of the provisions of the process of the proce practice followed in their application, a be est among the costs involved and incidental effect further chapters are devoted to discount for prompt payment, collection and tespons and the control of th recovery procedure, the effect of compounding on County rates and Exchequer grants, and general conclusions.

Alban & Lamb's Income Tax as Affecting Local Authorities

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Edited by George H. Forster and J. D. R. JONES. Charles Knight & Co. Ltd., 1959. Pp. xxiii+338.

This is the fifth edition of a standard work on a subject of ever-increasing complexity.

Town and Country: The Amenity **Ouestion**

The Fabian By R. M. STUTTARD. Society, 1959. Pp. 30. 2s.

comi THE author is concerned in this pamphlet with "landscape beauty-the visual 'amenity' of town and country-its safeguarding and creation, and the facilities of the for its enjoyment." He defines four types of amenity problems: first, those where 1999 there should be general agreement about ends, namely removal of litter, air pollution, pollution of rivers and beaches, and in the wartime disfigurements; secondly, those that are temporarily controversial, such as matice how the new scientific and technological He society can provide its services unobtruis a sively; thirdly, those temporarily controticular versial problems which affect rights and helpful relationships between individuals, for example the maintenance of rights of way and public access and the behaviour of visitors to the countryside; and finally, es and questions such as architectural style and density of housing in cities and suburbs, which are frequently matters of taste and preference, to which no absolute judgments are possible. Among the many mpost recommendations made in this pamphlet state for a solution to these problems are hories suggestions: Boards of public corporahorits suggestions: Boards of public constant tons to include a member with special feet the promoter of policy; further new towns be created promoter of public public promoters and public pu of point of policy; further new towns be created to assist Local Authorities with overspill problems; a central planning agency to be established for each conurbation, mong its duties being preservation of the country seen belt; and that industry be made the second of the country of the cou

The Board of Trade and the Free Trade Movement, 1830-42

By Lucy Brown. Oxford University Press, 1958. Pp. 245. 30s.

THIS book discusses the work of the permanent officials of the Board of Trade during the period between the death of Huskisson and Peel's tariff revision of 1842. It is concerned with three main topics. First, the reasons for the failure to secure free trade legislation in the eighteen thirties; secondly, the method of assessing the Board's advice and recommendations, and finally, their importance in shaping both Parliamentary and public opinion. The author conveys clearly the position of initiative held by the officials of the Board during this period. was particularly apparent in the regulation of British commercial relations. The work is supplemented by a useful bibliography.

Reform of the Office of Lieutenant-Governor

By BENJAMIN NISPEL. Public Affairs Press, Washington, D.C., 1958. Pp. 20.

THE purpose of this study is to assess the value of the office of Lieutenant-Governor as it now exists in the various states. A series of reforms are considered, some of which have already been adopted in certain states. These include changes in election procedure, strengthening administrative and legislative duties, and clarification of constitutional provisions relating to gubernatorial succession. The author concludes that the office is not as insignificant or unimportant as the absence of literature on the subject suggests, or the disparaging remarks of critics might lead one to believe. However, there is room for added responsibilities to the office in many states.

Conformity Under Communism

By EDWARD TABORSKY. Public Affairs Press, Washington, D.C., 1958. Pp. 38.

THIS is a study of indoctrination techniques in Eastern Europe by a former Personal Aide to President Benes, and Czechoslovakian envoy to Sweden, now Associate Professor of Government in the University

of Texas. The battle for the mind the author sees as falling into two broad categories. First, a negative one which seeks to shield "the object of indoctrination" from non-Communist influences, both internal and external. Second, a positive one which, through various media, attempts to evoke consent to Communism itself. Among the media discussed are schools, radio and television, the press, books and libraries, movies and theatres, Houses of Culture, and various societies. Factors which assist and impede the tools of indoctrination are also considered. Inevitably in works of this kind academic evaluation is frequently undermined by personal prejudices. If due allowance is made for this, Conformity Under Communism emerges as an interesting analysis of propaganda techniques, albeit presenting little that is new.

The Directory of Opportunities for Qualified Men, 1959

Cornmarket Press Ltd. Pp. 116. 8s. 6d.

A REFERENCE volume for all qualified men and women seeking employment, giving in detail the openings, opportunities, and prospects in nearly a hundred industrial and commercial organizations and government departments.

The Scanlon Plan: A Frontier in Labour-Management Co-operation

Edited by FREDERICK G. LESIEUR. The Technology Press of Massachusetts Institute of Technology and John Wiley & Sons, Inc., New York; Chapman & Hall Ltd., London, 1958. Pp. vii+173. 36s.

THE Scanlon Plan is a formula for labourmanagement co-operation devised by one Joseph Scanlon who, in his time, became a local union president, research director of the United Steelworkers of America, and finally a lecturer in the Industrial Relations Department of the Massachusetts Institute of Technology. collection of articles is designed to give a picture of the Plan, both in principle and in practice. The essence of the Plan is that of ensuring effective labour participation in industry through a formula which rewards labour for any increase in productivity, and then builds "around this formula a working relationship between management and labour that enables them to become a team." The first stage in its application is agreement on a " normal" labour cost for the firm under consideration and the devising of a means for giving labour the benefit of anything it can save under that "norm." The link between the worker and the over-all productivity of the firm will vary according to the nature of the company. The Plan has been successfully applied, in varying degrees, in more than fifty enterprises, and this volume provides a most interesting contribution to an understanding of its many aspects.

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Administration PublicAspects of Community Development Programmes

Office for Public Administration, United Nations, 1959. 10s. 6d.

THIS study is concerned with the organiztion and administrative aspects of govenmental programmes which seek to encourage and stimulate community selfhelp, and with the relationship of sud programmes to other activities of central and local government. The main body of the report is concerned with community development in rural areas. The problems associated with the administration of community development programmes is urban areas are regarded as quite distinctive, and given brief treatment in chaper on local government.

THE following books have been received for review:

Anatomy of a Metropolis, by EDGAR M. HOOVER and RAYMOND VERNON. Harvari University Press and Oxford University Press. 48s.

Les Sociétés D'Economie Mixte L'Aménagement du Territoire, by J. E 1959. GODCHOT. Berger-Levrault. 1,200 F.

A New Approach to Industrial Demo COLON cracy, by H. A. CLEGG. Basil Blackwell Oxford. 18s. 6d.

The French Constitution, by WILLIA PICKLES. Stevens & Sons Limited. 6s.6

RECENT GOVERNMENT PUBLICATIONS

The following official publications issued by H.M.S.O. are of particular interest to those engaged in, or studying, public administration. The documents are available in the Library of the Institute.

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Annual reports and accounts, 1958-59. East Midlands (H.C. 305), Eastern (H.C. 304), London (H.C. 300), Merseyside and North Wales (H.C. 308), Midlands (H.C. 306), North Eastern (H.C. 310), North Western (H.C. 311), South Eastern (H.C. 301), South Wales (H.C. 307), South Western (H.C. 303), Southern (H.C. 302), Yorkshire (H.C. 309).

niz- BOARD OF TRADE

Report of the U.K. Trade and Industrial Mission to Ghana, March 1959. pp. xiv, self. 60. Folding map. 1959. 6s.

BRITISH BROADCASTING CORPORATION

British Broadcasting Corporation, Annual report and accounts, 1958-59. Cmnd. 834. pp. 61. 1959. 8s.

BRITISH EUROPEAN AIRWAYS

Report and accounts, 1958-59. H.C. 258. pp. 99. Illus., tabs., 1959. 9s.

ceived CENTRAL ELECTRICITY GENERATING BOARD First report and accounts, 1st January 1958ar M. 31st March 1959. H.C. 313. pp. viii, 196. 1959. 10s. 6d. arvari

CIVIL SERVICE COMMISSIONERS

Report of H.M. Civil Service Commissioners te for the period 1st April 1958 to 31st March J. E 1959. (93rd report.) pp. 36. 1959. 2s. 6d.

Demo COLONIAL OFFICE

ckwell Report of the Committee of Inquiry into the Financial Structure of the Colonial Developsent Corporation. Cmnd. 786. pp. 25. пти 1959. 1s. 6d. 6s. 6L

COMMITTEE OF PUBLIC ACCOUNTS

Special report, and first, second and third reports, session 1958-59. H.C. 76-1, 93-1, 201-1, 248-1. pp. lxv, 359. 1959. £1.

COMMONWEALTH RELATIONS OFFICE

Report of the Commonwealth Education Conference. Cmnd. 841. pp. 65. 1959.

DEPARTMENT OF HEALTH FOR SCOTLAND

National Health Service Act. National Health Service Superannuation Scheme for Scotland, 1948-55. Report by the Government Actuary. pp. 26. 1959. 1s. 9d.

EDUCATION, MINISTRY OF

Report of the Burnham Committee on scales of salaries for teachers in establishments for further education, England and Wales, 1959. pp. vi, 58. 1959. 8s. 6d.

GENERAL REGISTER OFFICE

Registrar-General's statistical review of England and Wales for the year 1955. hospital in-patient Supplement on statistics. pp. vii, 206. 1959. 10s. 6d.

HEALTH, MINISTRY OF

Convalescent treatment. Report of a Working Party. pp. iii, 48. 1959. 3s.

National Health Service Act, 1946. Report by the Government Actuary on the National Health Service Superannuation Scheme, 1948-55. pp. 23, 1959. 1s. 9d.

Report of the Ministry of Health for the year 1958. Part II, on the state of the public health. Cmnd. 871. pp. vi, 264. 1959. 12s.

HOME OFFICE

Central After-Care Association. Annual report for 1958, pp. 38, 1959, 2s.

PUBLIC ADMINISTRATION

Report of H.M. Chief Inspector of Fire Services (Counties and County Boroughs, England and Wales) for the year 1958. Cmnd. 844. pp. 23. 1959. 1s. 3d.

The treatment of young offenders. Report of the Advisory Council on the treatment of offenders. pp. 27. 1959. 1s. 9d.

HOUSING AND LOCAL GOVERNMENT, MINISTRY OF

Rates and rateable values in England and Wales, 1958-59. pp. 61. 1959. 4s.

INDEPENDENT TELEVISION AUTHORITY

Annual report and accounts, 1958-59.

H.C. 2. pp. vi, 47. 1959. 3s. 6d.

New Towns Act, 1946

Development Corporations. Reports for the period ended 31st March 1959. H.C. 315. pp. iii, 470. Illus., tabs., folding map. 1959. £1. 2s. 0d.

PENSIONS AND NATIONAL INSURANCE, MINISTRY OF

Report for the year 1958. Cmnd. 826. pp. xii, 129. Tabs. 1959. 7s.

POLICE

Report of H.M. Inspectors of Constabulary for the year ended 30th September 1958. H.C. 202. pp. 31. 1959. 1s. 3d.

ROYAL MINT

Eighty-ninth Annual Report of the Dep Master and Comptroller for the year 19, pp. 87. 1959. 5s.

SELECT COMMITTEE ON ESTIMATES, 19584

Fifth report—United Kingdom Au Energy Authority (Production Group and Development and Engineering Group). H.C. 316-1. pp. lxxxvii, 525. 1959. £1.7s.

SELECT COMMITTEE ON NATIONALIZED INDUSTRIES (REPORTS AND ACCOUNTS)

Special report. H.C. 276. pp. xvii, 1959. 4s.

TRANSPORT AND CIVIL AVIATION, MINISTRY OF

London traffic. Thirty-third report of London and Home Counties Tradvisory Committee, 1958. pp. v, 1959. 4s. 6d.

Report of the Air Transport Advi-Council for the year ended 31st March 1 and statement by the Minister of Transand Civil Aviation. H.C. 260. pp. iv, 1959. 4s. 6d.

TREASURY

Finance accounts of the United Kingfor the financial year 1958-59. H.C. 2 pp. 82. 1959. 6s.

